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International Penal and Prisonary Commission

56TH CONGRESS, } HOUSE OF REPRESENTATIVES. } DOCUMENT
1st Session. } No. 459.

THE REFORMATORY SYSTEM IN
THE UNITED STATES.

REPORTS

PREPARED FOR

THE INTERNATIONAL PRISON COMMISSION.

S. J. BARROWS,
COMMISSIONER FOR THE UNITED STATES.

FEBRUARY 26, 1900.—Referred to the Committee on the
Judiciary and ordered to be printed.

WASHINGTON:
GOVERNMENT PRINTING OFFICE.

1900.



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LETTER OF TRANSMITTAL.

DEPARTMENT OF STATE,

Washington, February 26, 1900.

SIR: I have the honor to transmit herewith a copy of a communication from Mr. S. J. Barrows, commissioner of the United States on the International Prison Commission, inclosing a report prepared by him relating to the reformatory system in the United States.

I have the honor to be, sir, your obedient servant,

JOHN HAY.

Hon. DAVID B. HENDERSON,

Speaker of the House of Representatives.



LETTER OF SUBMITTAL.

INTERNATIONAL PRISON COMMISSION,

Washington, February 23, 1900.

SIR: Among the questions proposed for discussion at the next International Prison Congress, which meets in Brussels August 6, was one relating to the reformatory system in the United States. I have the honor to submit herewith a report on this topic in the preparation of which I have had the cooperation of a number of recognized authorities on this subject in the United States.

I have the honor to be, sir, your obedient servant,

S. J. BARROWS.

Hon. JOHN HAY,

Secretary of State.

INTRODUCTION.

THE REFORMATORY SYSTEM IN THE UNITED STATES.

The reformatory system in the United States is an illustration of evolution in penology. It is partly the evolution of a principle and partly the evolution of a method which illustrates it. But evolution does not work through disembodied abstractions. It works through personality; and the influence of personality is nowhere seen more prominently and fortunately exerted than in the application and development of this system. The names of Machonochie and Crofton, in England and Ireland; and of Brockway, Tufts, Scott, McClaughry, and Ellen C. Johnson, in our own country, will always be remembered and associated with the practical development of the reformatory system in the United States.

The value of the interstate and the international communication, which it is the object of the National and the International Prison congresses to promote, is likewise seen in the interchange of ideas and experiments. This has resulted in a development which could not have been attained in isolation. The germ of the American system may be found in the ideas and experiments tried in Ireland and England by Machonochie and Crofton, but it was in the United States that these ideas were destined to find a more thorough application and a more complete development.

One advantage resulting from our system of local State government is, that a method or experiment which may be tried in one State is watched with curious interest in others, and sooner or later, if the experiment proves successful, those States are sure to embark in it. They may not reach the result by the same pathway, but they move in the same general direction and towards the same goal. This adoption of successful experiments from State to State is not simply a matter of exact or servile imitation. Each State which borrows a law or an institution from its neighbors is very likely to modify it to some extent and to add what are deemed desirable improvements. Thus there is general resemblance with differentiation in methods or details. New York did not borrow its reformatory methods or ideas directly from Crofton; the germ of the New York system was transplanted from Michigan. It was not the transplanting of a system but rather of a man which led to the rapid and remarkable development of the Elmira Reformatory. The head of that institution, Mr. Z. R. Brockway, who gained his early experience in Michigan, may truly be said to be the founder of the system as it has taken shape in the United States.

It has sometimes been said by those who have seen the Elmira Reformatory that the success achieved there can not be attained elsewhere, because while the machinery is admirable in its construction it needs a great personality to administer it. Apparently it seemed to them like a complicated invention which could not be successfully administered without the genius of the inventor. There is a certain amount of truth in the observation. It applies not only to the Elmira Reformatory, but to most other human institutions. No elaboration of wheels, cranks, cogs, and pinions, however carefully adjusted and lubricated at the start, can dispense with the engineer. And this is truer than ever when the product of the machinery is a better molded and a better polished human character. That institutions of similar character, founded on the Elmira plan, have been a success in Massachusetts, Pennsylvania, Illinois, and Indiana is not because they have copied the exact form and dimensions, rules, and appliances of the original institution, but because strong personalities have taken methods which were more or less plastic and adapted them to a new situation. It is by no means possible always to secure the same physical conditions in different States, and one administrator in setting up the machinery of a new method may tighten a screw here or loosen one there, may relax the tension of a spring or render a rule more rigid and inelastic.

But the point of unity is found in the underlying principle. It is here that all the men and women who have shown so much individuality in developing reformatory institutions come together in glad and perfect accord. Externally, a casual visitor might see no difference between the physical structure of a reformatory and a well-constructed penitentiary, and yet the difference between them may be the difference between light and darkness. Each institution preserves well in its name the object of its existence. The penitentiary exists for the infliction of punishment; the reformatory exists for the reformation of the offender. Neither of these aims is entirely new. The *lex talionis*, which lies at the bottom of our criminal law and our criminal institutions, is embedded in the Hebrew code; the law of redemption, the assumption that it is the duty of society not merely to inflict pain but to secure reformation, is a principle of Christianity illustrated in the life and spirit of its founder.

The reformatory system assumes that men can be reformed, and that it is the duty of society to invoke those influences which shall lead to reformation. It aims at practical results. It is not concerned with the simple question of a punitive theory. The success of any system must be measured by its value to society, and when this is secured, by its value to the offender. In a system purely retributive, obligation to the criminal is either disparaged or ignored. In a system purely sentimental, the protection of society may be sacrificed to a misplaced pity. The reformatory system is neither retributive nor sentimental. It assumes that society must be protected; it is organized and adminis-

tered with this end in view. It is one of its cardinal maxims that criminals who are submitted to its régime shall not be released so long as there are well-founded indications that the release of the offender will be dangerous to society. The indeterminate sentence, which is absolutely necessary for the reformatory system, while it furnishes stimulus and inspiration to the prisoner, protects society against the release of those who have not fairly proved their capacity to live as honest, law-abiding citizens. And when the release is made, it is made tentatively under a system of conditional liberation, so that the criminal may be returned to the reformatory if his conduct be found unsatisfactory.

Thus the reformatory system aims to protect society to an extent which is not possible under the old theory of retaliation. It assumes that the most effective way to protect society is to reform the criminal. With this object in view neither society nor the individual is sacrificed. The whole pressure which society brings to bear upon the individual to insure his development, which in most cases is but the synonym of reformation, inures to his good. To those who assert that retribution should be the end of punishment, it may be said, as Mr. Brockway truly observes, that the discipline which saves a man imposes upon him a greater amount of suffering than that which is purely retaliatory. Humanitarian considerations have softened the discipline in many of the old prisons, and sometimes they soften the prisoner without improving him. In many of them it is far easier for a prisoner to adapt himself to rules and regulations, preserve correct deportment, and perform a certain amount of labor than to submit to the discipline of institutions which make a constant draft upon his mental, moral, and physical powers. Prisoners who have been committed to State penitentiaries before or after being sent to Elmira have testified that it was an easy thing to serve in the penitentiary compared with the strain imposed upon the will power, intellect, and the physical habits of the prisoner at Elmira.

It is very important that this should be properly understood. For a time a mistaken idea obtained currency abroad in regard to the spirit and method of American reformatories. It was erroneously assumed that the discipline was soft and weak, and that the prisoner was coaxed and cajoled, through mawkish sentimentality and a pampering pity, to become a good man or woman. Nothing could be further from the truth. The discipline of our reformatories is severe, but, at the same time, it is rational. It is not a discipline which crushes, but one which develops. Let one, for instance, go to the United States Military Academy at West Point at graduation time and compare the cadets who are entering with those who are leaving. It is hard to believe that the erect, alert, well-developed, and accomplished officers who are graduating looked at the beginning of their course like the undeveloped, awkward, ungainly boys who are about to enter; and the mental difference in their equipment and efficiency is as great as their physical

difference. The discipline of that institution is more severe than that of any educational institution in this country, but it is a discipline which is constructed and applied not to enfeeble or crush the student, but to develop and unfold his powers. So it may be truly said that no penal institution in the United States has such a severe discipline as the Elmira Reformatory, but it is a discipline applied to stimulate and develop character. An acute writer has remarked that the old system of ethics required men to be *good*, but that in this age we require them to be *good for something*. This is one difference between the method of the penitentiary and that of the reformatory. The penitentiary says to the prisoner, "Be good;" it asks him to be submissive. The reformatory system says, "Be good," but also "Be good for something." It trains his capacities and fits him to go out into life and earn an honest living. It instructs him in the duties of citizenship, puts him through a course of ethical gymnastics, develops his brain and his hand and his heart, appeals to his religious sentiment, and makes clear to him his obligations to society.

Thus it will be seen that reformatory influences are educational rather than retributive. This education is partly manual. Great emphasis is laid upon the value of trade schools, whose operation and organization are explained in the succeeding papers. Labor has a moral therapeutic value. It may be labor which is productive, and through which the prisoner pays the cost of his keeping, or it may be labor which is simply instructive, its value determined, not by what the prisoner produces, but by what he learns. A large percentage of crimes for which prisoners are confined are crimes against property. Nothing tends more to reduce the number of such crimes than the development of a capacity for honest, efficient labor.

Training in reading, writing, arithmetic, and all the foundation branches of an English education is carried on in night and in day schools. Good prison libraries furnish the books, and competent instructors furnish the guidance for extended instruction in higher ranges of literature and knowledge for those who are capable of taking it.

At Elmira much attention has been given to physical education. Military discipline is regarded as of great value. The ethical class at the same institution illustrates in a remarkable way the keenness which may be developed in recognizing ethical distinctions.

THE ACCOMPANYING REPORTS.

The accompanying reports have been secured to illustrate the philosophy, the history, the methods, and the practical results of the reformatory system in those States in which it has been adopted.

The true philosophy of the system lies at the foundation of every successful attempt to build upon the reformatory idea. It is, so to speak, the atmosphere in which every effective method must live and move and have its being. How deeply Mr. Brockway is imbued with

the philosophy of the reformatory movement is seen in the admirable paper which opens the series. Not always is a man who has been successful in applying a method able to expound the principles which vitalize and fecundate it; but Mr. Brockway is not only capable of giving them expression, but of showing with much force that they must be the soul of every hopeful endeavor. We are reminded again that no mere mechanism of rules and methods can take the place of a vivifying spirit.

The history, principle, and method of the reformatory idea as it has found embodiment in the Elmira Reformatory are presented in the paper by Mr. Frank B. Sanborn, an early advocate and expositor of the idea in the United States.

Perhaps no one has done more to give currency to the Elmira idea and its method among people who find little interest in prison reports and prison congresses than Mr. Charles Dudley Warner. As author, journalist, and lecturer, always commanding an interested audience, Mr. Warner has lent the charm of his style, his power of description, and his keen sense of humor to the cause of prison reform by exposing the incongruities of the definite sentence and the old, punitive method on the one hand, and the absurdities of a flowery sentimentality on the other. His paper on "A study of prison management" is a description of Elmira in the first decade of its history, when, largely through his pen, its methods awakened attention by their novelty and rationality.

In his paper on "What shall be done with the criminal class?" Mr. Warner appears as an uncompromising advocate of the indeterminate sentence, which, as already shown, is an indispensable element in a reformatory system, even though it has never been carried to its logical conclusion.

The philosophy of the indeterminate sentence and the absolute reconstruction of the traditional punitive system which it involves are strongly set forth in the paper of Hon. Charlton T. Lewis, president of the New York Prison Association, and one of the ablest and most prominent of American penologists.*

Soon after the establishment of the Elmira Reformatory, agitation for the creation of similar institutions and for the adoption of the indeterminate sentence began almost simultaneously in several States. It is somewhat difficult to tell in which of them the reform spirit made most progress. While some States were prompter in passing laws requiring the erection of reformatories, others were more prompt in building them after they were authorized. In some States, as in New York, the principle and method were first applied to men; in others, as in Indiana and Massachusetts, to women. In Ohio, on the other hand, the reformatory idea appears in the application of the indeterminate sentence to

* The same subject has been treated in a report presented by the writer to the Secretary of State, February 28, 1899, and reprinted by the United States Senate. Senate Doc., No. 159, Fifty-fifth Congress, third session.

the penitentiary long before the establishment of a distinct reformatory institution. It is difficult therefore to make exact chronological comparisons between the different States, based on the dates given in the reports. In some, the precise date of opening the institution is given; in others, the date of the legislative act establishing it. For chronological facts, readers are referred to the statements variously qualified in the different papers.

The facts collected in this report show in some detail the general methods adopted in different institutions. In each of these institutions the system of three or four grades exists, but there are variations in the details of rules and regulations and in the system of marking. In its military discipline, its systematic ethical culture, and systematic physical education, Elmira is unique. The institution at Concord, Mass., has developed independently the plan of organized societies among the inmates for literary and moral improvement and also for physical exercise. What seemed at first a dangerous experiment has been crowned with merited success. The assumption that the association of prisoners together must necessarily be bad is refuted. Under proper oversight, prisoners may associate for moral purposes and for moral effect. The interesting article by Superintendent Scott, of Concord, skillfully describing the course in that institution of a typical prisoner, shows how the system may work in its practical application. "John" is not a type of all prisoners, but his history is the general history of a great number.

Some seven years before it had established a reformatory for men, Massachusetts had established a reformatory for women. This institution was opened in 1877, only a year after the one at Elmira. The work of the late Mrs. Ellen C. Johnson is conspicuous not only in the United States but in the whole world. The institution was founded on a wise principle, but it was her remarkable personality which gave it a tone, an atmosphere, and a moral vitality that contributed wonderfully to its success. A full account of the history of that unique institution is given in the paper by Mrs. Isabel C. Barrows, who for many years has been the official reporter of the National Prison Association and also the editor of the Proceedings of the National Conference of Charities and Correction. For an account of the Indiana Prison for Women, which was united with the Girls' Reformatory as early as 1873, and whose officers since 1877 have been women, the reader is referred to the paper by Hon. T. E. Ellison.

The Pennsylvania Industrial Reformatory is described by Gen. Isaac J. Wistar from the standpoint and with the qualifications of an ardent and able advocate of the separate system.

The Illinois State Reformatory is younger than those previously mentioned, having been opened on January 8, 1893. In the construction of the law as well as in the administration of the institution it has had the advantage and counsel of some of the best penologists in the State.

In doing justice to the services of others in this respect Bishop Fallows, in his interesting history of the institution, has scarcely done justice to his own.

For an account of the Kansas State Industrial Reformatory I have had to depend upon the second biennial report of that institution.

One of the marked results of the substitution of the reformatory for the retributive idea is seen not only in its application to special institutions, created to embody it, and where it has its fairest field and best opportunity, but in the general application of the principle to penal institutions which do not bear the title of reformatory. The indeterminate sentence and the marking system have in some States been applied to State prisons, and schools have been introduced. Several of our States may be said to have substituted the reformatory for the retributive idea in all their penal institutions. The transition from old methods is imperfectly made at first, and wardens are hampered by old buildings and the lack of facilities; but there is a marked change in the spirit of such prisons. The papers in the present report on the States of Ohio, Indiana, and Minnesota are examples of the general diffusion and application of the reformatory idea to State penal institutions.

Gen. R. Brinkerhoff, well known throughout the United States and Europe for his devotion to the cause of prison reform, has given a history of the development of the reformatory spirit in Ohio, in which State the indefinite sentence was first applied to a penitentiary. Ohio has given a more thorough trial than any other State to the system of conditional liberation, and its adoption by other States is mainly due to the success of the system in that State.

In Indiana the reformatory idea, with the grading system, the so-called indeterminate sentence, and the parole law have been applied to all the State institutions. The report on the system of that State by Hon. T. E. Ellison, reviewing as it does the history of penal legislation and penal administration, constitutes one of the most interesting and valuable monographs. It shows how many elements may enter into the perfection or imperfection of any system.

Minnesota is another State which had the courage some seven years ago to apply the indeterminate sentence, the graded system, prison schools, and the parole to the State prison. Mr. Henry Wolfer, who writes the report from that State, was until recently warden of the State prison, and by his rare executive and business ability, his knowledge of men, and his confidence in the reformatory principle, contributed not a little to the success of the experiment as applied to the State prison, which is well entitled to the name reformatory. The other institutions bearing that title are also producing excellent results.

Juvenile reformatories in the United States represent another classification of offenses and of offenders. Public sentiment in the United States regards them rather as parental and educational than as penal

establishments. The term of sentence is usually limited by majority, and is therefore a time limit, or it is modified by the placing-out system, which has assumed great importance in several States. (See Report on Dependent and Neglected Children, Senate Doc. No. 158, Fifty-fifth Congress, third session, entitled "Penological Questions.") The marking system is advantageously used in these institutions. They are distinctly educational rather than retributive. Undoubtedly the recognition of this fact with reference to juvenile offenders has had its wholesome influence in the United States in extending the reformatory principle and method to adults. The average age of State prisoners is not far above the majority line; many of them are but children of a larger growth. Their criminality is often due to their lack of development. In that case education alone can correct faults which are due to the lack of it. Juvenile institutions are not made the subject of special inquiry in this report, the object of which is to show the application of reformatory ideas to criminals so classed under the law. A single paper, however, on juvenile reformatories by Mr. Charlton states the general principle under which they are governed, and accompanying it is a list of juvenile reformatories in the United States, compiled in 1899, from which it appears that at that time there were sixty-five such institutions in the United States, with an average attendance of 19,410.

CONCLUSION.

In preparing and securing various reports for the International Prison Congress, I have felt that the United States could contribute nothing more distinctive or more worthy of the study of foreign penologists than some exposition of the reformatory system as it is now successfully applied to adults. European jurists have already shown a great interest in the theory and application of the indeterminate sentence, and prison administrators everywhere are equally interested in the practical development of the reformatory system in the United States. This interest found expression in the inquiry of the International Prison Commission to which this report is a response. I have, therefore, taken pains to make it as complete as possible.

The reformatory system marks a new era in the development of penology in the United States. One of its fundamental characteristics is that it deals with the offender rather than with the offense. It preserves the most important advantages of the separate system on the one side and the congregate on the other, and avoids the most conspicuous disadvantages of each. The merit of the separate system is not in the isolation of the prisoner, which when prolonged is its most serious defect, but in the opportunity for individual treatment. But individual treatment is secured even more completely in the reformatory system. It permits an exact classification of prisoners based upon character and capacity, considered in various relations, moral, physical, and intellec-

tual. The pressure brought to bear upon the individual through the whole range of motives and influences which affect character is vastly greater than can be exerted upon any individual in relative isolation since it brings to bear the immense power of a social and moral public sentiment which can not exist in the separate system, and the value of which is strangely mistrusted. The history of American reformatories has abundantly proven that the association of inmates with each other far from being contaminating may furnish, under a grading and marking system, in the rivalry of schools, in the keen inquisition of ethical classes, and in the discussions and exercises of societies for mental and moral culture and mutual help, a force of inspiration and example of immense value in the development of character. To establish a prison as a collection of hermits and hermitages wholly isolated from each other does not provide that discipline for social life which is necessary to educate the prisoner into an honest, law-abiding member in the social order. Wherever isolation is needed to bring the prisoner to himself it may be had under a reformatory system, a cardinal principle of which is that every prisoner must occupy a separate cell when not engaged in work, school, and permissible recreation.

On the other hand the main defect in the congregate system—treating prisoners in a mass or herd, in which the individual is simply an atom in a criminal corporation, whose labor is productive and not educative—is avoided in the reformatory system.

Another advantage of the system is that by its own operation it helps to determine that classification of prisoners which is most important to society; namely, their separation into the corrigible and the incorrigible. The corrigible are submitted to influences which correct; the incorrigible are remanded to innocuous seclusion.

Though the reformatory system in the United States has passed in twenty-five years beyond the stage of experiment, it represents as yet but an initial movement in a new era of penal reform. Its logical and practical outcome will ultimately be found not merely in a reform of our prisons, but in a complete reformation in our penal codes. The classification of crimes and the imposition of penalties based on the purely punitive idea, in which so much suffering is meted out for a particular offense, rest on a false conception and must ultimately give way to the more scientific principle involved in the indeterminate sentence. This is the only remedy for the inextricable confusion and contradiction of penal codes in the United States.

S. J. BARROWS.



J. M. McKelway

SUPERINTENDENT OF THE ELMIRA REFORMATORY, NEW YORK.

THE REFORMATORY SYSTEM.

By Z. R. BROCKWAY,
Superintendent of the Elmira Reformatory, New York.

THEORIES OF PUNISHMENT.

The reformatory prison system of the United States of America is rapidly replacing the more punitive penitentiary system of public punishment for crime. The older penitentiary system in America is but the product of the present century. It was established to supersede the sanguinary penalties of earlier times and is itself a protest against them, yet it is based upon the same principle of punishment, is inspired by the same sentiment of retribution for wrong that characterized the methods of punishment which preceded it. Its principle and spirit are quite inseparable from any system under which offenders are sentenced to definite though varying periods of imprisonment for their crimes, for it takes note of wickedness, and by its measuring of penalties is an attempt to mete out to them their due equivalent of pain. Lord Justice Fry says: "The root of the whole doctrine of punishment is the endeavor to find a fitness of pain to sin which the world does not satisfactorily supply," and that "before everything else we must look at the moral nature of the act in question." Also the so-called classical school of penologists hold to the same view, namely: "That the primary ground, the moral foundation, the essence, the true moral sanction, and so the justification of punishment for crime is the infliction of pain." But it is at the same time conceded that there are other purposes to be subserved by punishment, certain secondary purposes, such as the prevention of further offenses by the offender, and the repression of offenses by others; also the reformation of the offender. While it is admitted that all these are desirable, practicable benefits, they are nevertheless held to be secondary in importance, and it is claimed that the results are best accomplished through adjustment of punishments. According to this school the purpose of punishment is to expiate the crime rather than to expurgate the criminal. Their motto is: "Punishment the principle, prevention the incident."

The pursuit of this principle in actual practice is fraught with serious difficulties. To impose upon a criminal a just punishment for the purpose of expiation, the sentencing court must foreknow and accurately predetermine what length of time to be spent in prison shall exactly

compensate the crime, and the prison governor must be able to measure out neither too much nor too little of the actual pains of imprisonment. Such a sentence is always an expression of human judgment as to the moral responsibility of another, the offender—a judgment not only as to the *fact* of responsibility, but also the *degree* of responsibility at the moment of the criminal act. It assumes that the finite mind of the court and the prison governor can know what amount of suffering by the prisoner shall satisfy, for atonement, the infinite God, and at the same time repair the injured State; and can know also the inward feelings of each individual prisoner at the time of sentencing and throughout the whole period of imprisonment. Indeed, since the limits of punishment are fixed by law, the infliction of the legal punishment assumes that the legislation and the legislators were wise enough to foresee the consequences.

It can not be denied that there is in the economy of moral government of the Supreme Ruler that which is retributive—the equitable balancing of painful consequences to sinful acts—a beneficent and truly remedial agency; but the function is super human. No sanctions of human laws, no court or prison system, no man or association of men ever can properly attempt to administer retribution to criminals for their crimes. It is impossible to justly administer it, and it is also abundantly in evidence that the futile attempts to minister just punishments for crimes, under the laws and practice, constitutes a serious obstruction to the only sure public protection from the criminal—namely, his reformation.

REFORMATION NOT EFFECTED BY PENITENTIARY IMPRISONMENT.

It can not be expected that much reformation through punishment, by the shock and pain of it, can be wrought by penitentiary imprisonment. Such is the gradual approach of prisoners to the final committal to prison, so preceded is it by vicious habits and associations, then by arrest, with temporary detention in station house and jail, that there is no sudden transition from innocence and liberty to guilt and confinement, by which the effective shock could be produced. And so strong is the tendency of human nature to be contented with the situation that is for the time inevitable—to find some comfort in the worst of experiences; so rapidly do the tastes and habits become adjusted to environments, and so meliorated is the condition of prisoners in modern penitentiaries, that no effective reformatory influence is likely to be derived from associations in the prisoner's mind of the pain of imprisonment with the act and conduct for which he is imprisoned. Moreover, if by any means imprisonment is made so impressive that the prisoner remembers it afterwards as punishment for crime, he must estimate the punishment as either inadequate, and exult at the good fortune or smartness of his evasion of the intended purpose, or else, esteeming his punishment excessive and unjust, he will remain embittered and

revengeful; or, again, if he estimates his punishment as equal to the offense, he will justify himself as one who has paid for his crime and is now at quits with society and with moral obligations. Each and all of these moods are inconsistent with or unfavorable to his moral reformation and subsequent good behavior.

DETERRENT EFFECT OVERESTIMATED.

But is not the possible deterrent effect of mere imprisonment of convicted criminals upon those inclined to crime, who are at large, greatly overestimated? It is not observed that they are terrorized by the penalties of the law, whether the penalty is imprisonment or death. Under a system of law and practice of death for murder, homicides constantly occur, and it is claimed that the effect is not only not to deter, but possibly to increase the crime. Whatever may be the truth about the death penalty (whether the effect is to deter or incite), it is unreasonable to expect that, as against common crimes, a very powerful restraining influence can be disseminated by the penitentiary punishment.

More than 40 per cent of prisoners in ten countries are, according to the published reports, *recidivists*—old offenders—who have previously been subject to imprisonment. Mr. Round, of the Prison Association of New York, estimates that quite 80 per cent of prisoners discharged from punishment prisons return to crime; an estimate confirmed by one of the most able and experienced wardens of the United States, whose name is withheld. The influence upon crime of the prisons of a State or country can not be shown by the number of prisoners, nor by the ratio of prisoners to the whole population. Dr. Faulkner, in his pamphlet, *Crime and the Census* (1897), shows how unreliable are statistics for such conclusions, and remarks:

The vaunted difference in the volume of crime between the United States and some European countries, based upon statistics, is quite probably a misapprehension.

He also points out that there are other conditions, quite independent of the effect of imprisonment, which affect crime:

The civil war wrought great changes in the population of the United States. The return to civil life after a period of war brought with it inevitably a disturbance of social relations, which would be reflected in an increase in crime and thus in some degree influence the number of prisoners. But the most important change was the emancipation of the negroes. Three millions of blacks became free members of society. As slaves they were chattels, unable to commit crime. It is worthy of examination whether a part of the increase of prisoners which has been recorded was not due to this factor.

General Brinkerhoff, in a calculation based on the increased number of prisoners, found an apparent alarming increase of crime in the United States, while General Hayes, in his address at Baltimore (1892), charged the increase of prisoners to the influence of immigration. He said:

Among our people of American birth and parentage, a careful reading of the statistics for the past generation will show that crime has largely diminished and is

still diminishing. Strike from the appalling catalogue of crime in our country all of the law-breaking due to the immigration of recent years, and the claims of prison reform in the United States will be amply vindicated.

There has been a steady decrease of prisoners in Great Britain for two decades or more, and it is both claimed and contradicted that there is also a decrease of crime; but there is no real relation to the two facts, if facts they are. Mr. E. Ruggles Brise (*Pall Mall Gazette*, April 18, 1898) says:

Though we congratulate ourselves upon a steady diminution of crime, we know that it is largely due to quite other causes than our penal system. Morrison publishes his denial of any diminution of crime, and shows that with a reduced prison population in these years there was a vast increase of convictions in the courts of summary jurisdiction in England and Wales.

In 1868-69 the convictions amounted to 372,707, and 25 per cent of them were imprisoned; while in 1887-88 there were 538,930 convictions and only 14 per cent were imprisoned. He remarks:

It is evident that the number of prisoners sent to prison is not to be accepted as an accurate criterion of the annual amount of offenders convicted.

Any difference in the average of sentences shows quickly in the aggregate of prison population, and there is not much uniformity of sentences, one country with another or as between States, nor in the practice of courts and magistrates in the same State or country. Mr. Tallack, of the Howard Association, testifies that in England "the system of sentences is extremely irregular and elastic, depending largely upon the idiosyncrasies of each judge or magistrate." There are no statistics which show that the penitentiary system is deterrent of crime. The notion is found in minds without a good basis of actual experience among criminals.

The strongest claim for hindrance of crime by punishments is, that when for a considerable period of time a given criminal act is visited, swiftly and certainly, with ignominious or painful consequence, there is created thereby in the public mind more or less instinctive repugnance to the act in question. The uncertainties and delays of punishment in the actual practice of the courts, the solace to the criminal of his notoriety, and the familiarity of the public with crimes and penalties, must considerably diminish the deterrent effect. The principle of revenge that characterizes the infliction of public punishments, when imposed for the pain of them, gradually educates the mental habit of the people to a tendency toward private retaliation for personal injuries—crimes against the person; a tendency to disregard the individual rights and privileges of each other—crimes against property; and tends to depreciate that healthful sentiment of reverence for the State, which is at once the safeguard of the commonwealth and the best guaranty of lawful conduct by individuals. The infliction of punishment for the sake of punishment is believed to be a questionable means for the education of public sentiment, of doubtful morality, and quite likely as

wrong in principle as it is in effect. Indeed, it may be fairly argued that the substitution of the penitentiary as the instrument of punishment for criminals in place of the more impressive sanguinary penalties is, to all intents and purposes, the practical surrender of the punishment principle itself.

It was found, too, quite impracticable to carry out the principle of punitive treatment in the actual management of the prisons. Very early in the history of American penitentiaries the captured, confined criminal enlisted so much sympathy for his supposed sufferings, and zeal for his eternal welfare, that the privileges and exemptions of prisoners were greatly extended, until the principle of punishment was much obscured, and sometimes quite lost sight of. The corrupting influence of free association and idleness, previous to the introduction of prison labor, was a serious evil, and the prisons at this stage became schools of crime, instead of the preventive agencies which they were intended to be. Prison labor was at first introduced to prevent the evils of idleness, and better prepare prisoners for moral and religious impression; then later it was for their punishment, as indicated by the form of sentence then and now generally adopted, namely, "Imprisonment at hard labor;" afterwards the main purpose of employment was, and for many years has been, profit to the State, a means of earning by the labor of the prisoners the support of the prisons. It was soon discovered that labor in prison is not a punishment but a privilege; but such was the evil of it, in the hands of contractors and others, that it was neither punitive nor reformatory, but was to a considerable extent subversive of both reformation and punishment. Every religious ministration (the strongest possible appeal to the religious motive persuading prisoners to reform) was found so ineffectual when tested by the behavior of discharged prisoners, that altogether it became a serious question whether the penitentiary system itself was not an utter failure. This view of the matter was ably discussed in the report of a special commission to the New York legislature in 1822. From that period until 1870 public opinion about prisons and prisoners was divided between a demand for severe sentences, with strict punitive prison discipline, and an indulgent sentimentalism, two extreme tendencies of feeling found associated, not infrequently, in the same individual and therefore naturally associated in the government of some of the penitentiaries.

THE REFORMATORY PRISON MOVEMENT.

Such, in brief, was the tone of American prisons when in 1870 the reformatory prison movement was launched. This was the date of the commencement of the present well-organized effort to afford the public a better protection from crimes, through the scientific treatment of imprisoned criminals, for the sole purpose of their recovery to lawful behavior and legitimate industry, when released as free inhabitants of the community.

The reformatory prison system belongs to the school of the utilitarians and experimentalists. It is ranged under a motto which reverses that of the classical school of penologists, its motto being "Prevention the principle; punishment the incident." It seeks the public protection through the reformation of criminals, and counts it of small moment whether the prisoner undergoing the reformatory process is pleased or displeased thereat. It is held by the advocates of this system that all the ends sought by punishment for crimes, by all the schools, are best attained when protection by reformation constitutes the whole purpose and method of prison treatment; and that by this means there is incidentally reached the nearest possible realization of justice, the equitable adjustment of pain to sin. The real reformation demanded by this reformatory system is necessarily a rigorous experience for prisoners, so irksome that they would scarcely choose it; yet because the purpose of it is to accomplish a remedial result, it can scarcely be considered, either by the subject of such experiences or by the observer, as an unjust penalty. The just retribution for crime or sin is always the necessary cost, to the criminal or the sinner, of recovery.

The principles of treatment thus adopted are applicable to all grades of criminals, misdemeanants, and felons, whether they are estimated, at conviction, as corrigible or incorrigible. It is a self-evident proposition that the criminal shut up for the public protection should remain restrained of liberty until he is so changed of character as to be reasonably safe for release. The prisoners are taken into the custody of the State because they were adjudged to be dangerous if at large. During their imprisonment they are to be transformed into safe citizens of the State. This is reformation in the State sense of the term. What more can the State desire or require than that criminals, when released from prison, shall obtain legitimately the means of their subsistence and satisfactions and in all respects obey the laws? What less should the State demand? Let the comparative value of prison systems be judged by this standard and their method by this result. If such reformations are best wrought out by retributive punishments, that method should be pursued. If by penitence, the product of presenting the religious motive and the influence of personal persuasion, then make the most of moral and religious ministrations; and if such an actual change of life and social relations can be promoted by wise training of prisoners in their behavior, their moods and moral tendencies not only, but also a worldly training in industry, economy, in intelligence and self-regulation, then despise not and neglect not such an agency.

CHARACTER OF REFORMATORY PRISONERS.

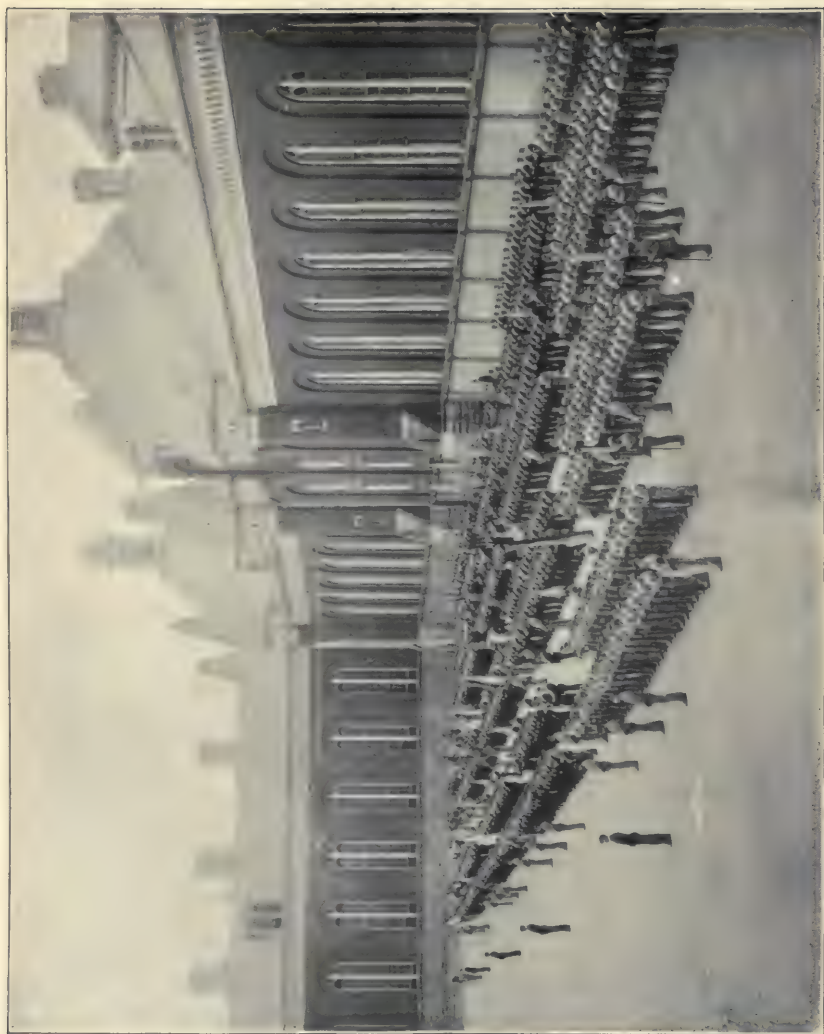
This reformatory prison system is applied to prisoners of maturity, to such as are convicted and sentenced for felony; indeed, to substantially the same class of offenders as are those committed to the common State prisons; but in some of the reformatories prisoners older than thirty

years and the recognized recidivist convicts are excluded; yet the prisoners of the reformatories are not, in any just sense, a selected class specially susceptible to good influences. They belong to the grade of humanity that is inferior. The whole inmate population may be divided in this connection into two grades of inferiority—those whose defectiveness is very apparent and others whose mental and moral defects are concealed under good (and sometimes quite brilliant) capabilities in given directions. About one-half of them have been not unfamiliar with life in institutions of one kind or another, with arrests and imprisonments, temporary or prolonged, in station house, jail or prisons for juvenile offenders and misdemeanants, while some of them have been imprisoned for serious crimes. More than 60 per cent of them are practically illiterate on admission to the reformatories, and at least one-third of the whole are from the class of dull scholars in the public primary schools, or truants who burrow in lanes and alleys, where they form the worst associations and personal habits. They are without the ordinary amount of imagination, and so are without the common ambition of the noncriminal of their class in society. As a whole, the prisoners are indolent, unstable, reckless, and unable to compete in industry with the normal workers, and perhaps they are as unable as they are indisposed to contend with the temptations of vice and crime. Many of them are dishonest, dishonorable, merciless, and base. They do not supply, out of the fifty thousand the writer has observed, one single criminal such as the novelist and sentimentalist frequently represent criminals to be. They constitute a living, antisocial human mass, not easily resolved and brought into accord with the orderly life of a good community. It is not generally true of these prisoners that they become criminals by a single misstep. They are as a class naturally, and it may be inevitably, criminal. They have shown by their crimes that they are irresponsible to the powerful motives which influence everybody to some extent, and hold back most men from disgraceful and criminal conduct. They are not amenable to such motives, whether at liberty or imprisoned, and there is a difference to be noted between the character and danger of imprisoned criminals and others of their class who are not yet guilty and convicted of crime, a difference which increases the difficulty of their reformation. Imprisoned criminals have mismanaged themselves, have behaved in a manner contrary to their true interests and to their desire to be at liberty—so misbehaved as to bring upon themselves the evil of criminal conviction and committal to prison—and it should not be expected that they will at once awaken to reason and become immediately wise enough to reform themselves. It is unimportant for any purpose of reformation to determine the relation of heredity and environment to their degeneracy; it is enough that the prisoners are inferior; their improvement is to be accomplished by the same means and processes in either case. The problem of reforming criminals is not a simple problem; it is difficult; new and additional motives must be summoned

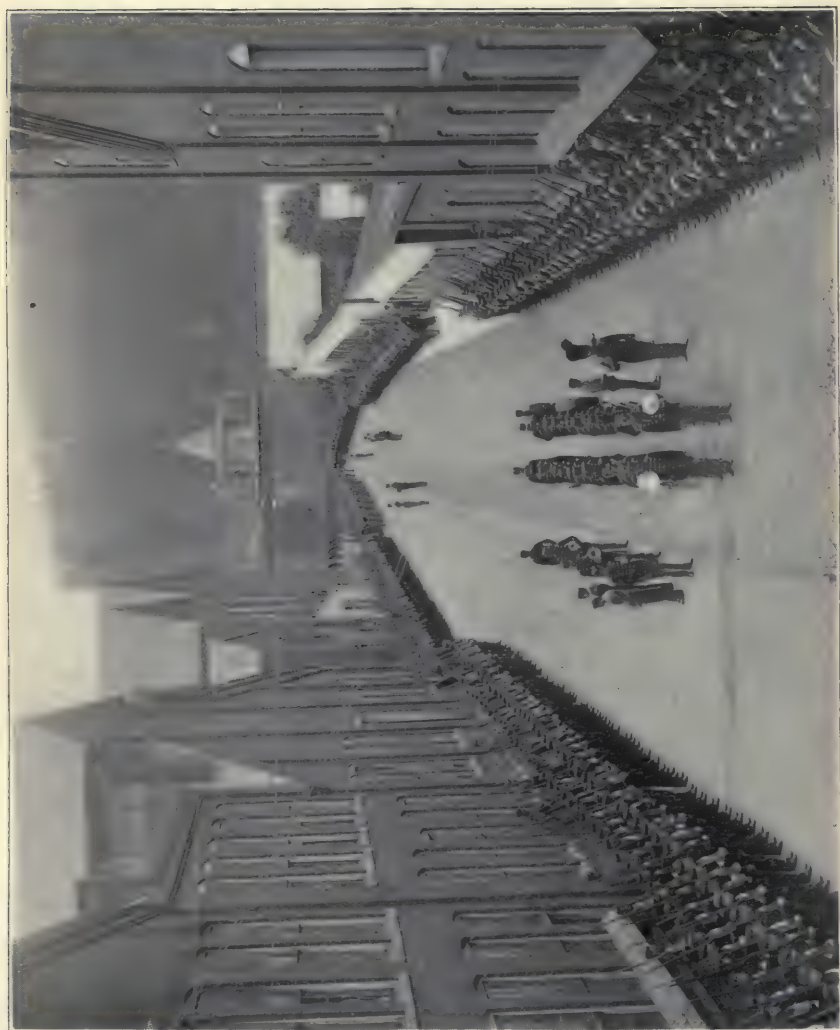
and applied; it requires unusual facilities, such as are not to be found in any prison built and conducted for punishment alone, and it requires wise and skillful administration. It is the problem of new education, and that for the most intractable class of pupils. The reformatory system of prisons reverently recognizes the value of the moral motives that affect mankind; it wields them in the work as best it may; but the strong appeal made at first, on the prisoners's admission or commitment to prison is to his self-interest—even, when need be, to his personal comfort or discomfort. The use of motives is not so much to persuade him voluntarily to surrender his accustomed gratifications for the blessings of a virtuous character (which is not appreciated until it is achieved) as it is to induce him to practice that prescribed course of common activity which will create within him the tastes and habits of a reputable life. The aim is his moral regeneration by the method of habitual practice—by habitude.

METHODS OF APPEAL.

In pursuing such an aim the supreme appeal to the prisoner's self-interest is made through the so-called indeterminate sentence, under which he may himself shorten or lengthen the period of his imprisonment. Since prisoners do not respond to the motives of fear and hope, when the consequences of their conduct seem remote; are uninfluenced for self-restraint by any attractiveness of goodness; unappreciative of the reasonableness and profitableness of right behavior in the relations of men one with another; devoid of or greatly deficient in the feelings of sympathy which so effectively restrain many who are of normal character from acts that inflict injury upon others, one motive, the love of liberty, is seized upon to influence them. Under play of this motive, chiefly, a majority of the prisoners are induced to try to regulate themselves according to the plan mapped out for them. That which is required of prisoners under this system is most carefully regulated by the standard of requirements for orderly behavior, under the laws and government of free society, so that by observing the conditions necessary for progress toward liberation from prison two most valuable habits are engendered, namely, the habit of quick and accurate adjustment to good environment, and the habit of forethought. For the lack of these two habits many prisoners fall into crime. It is found that a majority of prisoners may in this way by this motive be led to exert themselves for change of habit, but a considerable number require for such a painful effort a further appeal to desires more immediately within the new experience. The wants of the prisoners constitute the initial agency for their improvement, the available motive to urge them along the rugged path of reformation. Only motivelessness is the state of incorrigibility. To discover or create a want is to find a motive. Given a motive you may direct a habit. To form a habit is to create character. Habit is the school of conscience. Conscience and habit reenforce each other.



NEW YORK STATE REFORMATORY, ELMIRA, NEW YORK.



ELMIRA REFORMATORY. DRESS PARADE.



ELMIRA REFORMATORY. GYMNASIUM.

The reformation of prisoners, then, must be the reformation of their habits, a creating within them of new or improved habitudes of bodily behavior, of mental judgments, and of moral propensities. This is the reformation which is of practical value for preventing crimes, and so it contributes to the public security. This is the State reformation which the State reformatory penitentiaries are required to produce, and it is this which the reformatories endeavor to accomplish.

METHODS AND FACILITIES.

The facilities supplied by the State to some of the older reformatories for such a reformatory training of the prisoners are similar and equal to the provision made for the training of pupils who are normal in the best schools of learning. The list includes a gymnasium, with steam baths and massage; manual training for prisoners who are exceptionally defective; trades classes for the technical training of every prisoner; a school of letters, graded from the elementary to academic studies; a lecture course, with the institutionary newspaper; military training as thorough, if not as comprehensive, as that of the national Military Academy; and religious ministrations. It is intended to provide in these reformatories all commonly approved means for developing and cultivating good citizens and to secure their best use. The course of education is not optional or elective with these prisoner pupils, but is prescribed and enforced. The system, when it is most thoroughly administered, places the entire conscious life and conduct under unceasing direction. There must not be—there are not—idle hours for the prisoners, nor merely superficial occupation. They are awakened from sleep, at morning, and throughout all their waking hours are held in the firm grasp of training, until from healthful weariness they fall asleep again. This complete directing, by the governing authority of the reformatory, of the entire life of a mass of fellow-beings, is a serious matter, a fearful responsibility. It must be remembered that they are withdrawn from the free play and molding influences of the natural social life in a free community. The governor of the reformatory receives into his charge, with the bodily presence of the prisoners, their very soul life, and is clothed with the authority and the duty to develop that life for fullness and perfection. If such is the function of the governing agents of the reformatory, they should be left untrammelled by intermeddlers, either the self-constituted, well-intentioned philanthropist, or political partizans desirous to please a constituent by securing the premature release of a prisoner, or the yellow-journal intermeddler, with his single aim—the sensational item. He who enters upon the work of soul culture touches the life and forces of a mysterious realm. His attitude should be a profoundly reverent one, for he invades a sacred precinct.

INDUSTRIAL TRAINING.

There is relief, however, from the depressing weight of responsibility and the hesitation incident to the sense of mystery and sacredness in

the simple central truth that the germinal fact of fitness for good citizenship is of economic character. Between 80 and 90 per cent of felonious crimes for which prisoners in these adult reformatories are confined are crimes against property; and, it is believed, close inquiry into the social condition of prisoners committed for crimes against the person and the public order will reveal that these offenses also are incited by the unsatisfied wants of the offenders, wants which would not exist as sources of crime if the prisoner had possessed plenty of means, the product of his own legitimate earnings, prudently saved, over and above his wise and proper expenditures. Such crimes are not the product of acquisitiveness on the part of the criminals, for they habitually squander whatever they at any time possess, however derived. The bulk of crimes are committed by criminals who covet gratifications, without having the means to purchase them, nor the energy, skill, or ambition to acquire them in the usual and proper way. Industrial inefficiency lies closely at the root of the criminous character, so that State reformation of prisoners may be a practical problem within our common comprehension, viz, the problem of their industrial training and placing in industry. And, since the qualifications for successful, provident management of the individual self and personal affairs include a physical organism and conditions capable of work without painful exertion, such a sound judgment and integrity as gives commercial value to the work performed, and such self-command that the worker can find and retain good opportunity for his work, it may be that the whole problem is the training of prisoners to instinctive, habitual, quick adjustment of themselves to the true economic environments.

Does this system of treatment for criminals seem chimerical, impossible? Then let it be remembered that if, a century ago, the present scientific care of the insane had been outlined and proclaimed, it would have been esteemed a vagary of imagination, while now it finds acceptance, and the rude practices out of which it has grown—which it has outgrown—are recalled with feelings of surprise and shame.

There is a close relation between disposition for insanity and an inclination toward crime; criminals are often descended from families in which insanity or some other form of neurosis is at home, and there are cases in which one member of a family becomes insane, while another member grows into a spendthrift, a worthless fellow, a criminal. Crime gives vent to unhealthy inclinations which would otherwise result in insanity.

So says Maudsley.

It is not claimed that criminals are insane, nor is it here affirmed or denied that they are morally responsible for their crimes. It is of no more importance to consider the question of the moral accountability of criminals, for the purpose of their reformation, according to the plan here outlined, than it is to study the question of the moral responsibility of the insane for the purpose of their restoration to reason. The modern treatment of both the insane and the criminal has broken away from the bigotry that would punish the body for the sins of the

soul; away from the arrogant assumption that mortal man can properly retribute his fellow for the favor of God, and from too rude and impertinent inference, one with another, to adjust the soul's relation to its Maker.

The prisoners are seen to be defective fellow-beings, unsuitable for a free exercise of their rights and privileges, unable or unwilling (it matters not which) to properly provide for themselves within the laws and the moral standards of conduct that pervade our civilization. They are not to be killed or painfully punished to satisfy a revengeful public sentiment, nor yet coddled for the comfort of the pitiful and to their own hurt. They are imprisoned to be cured or restrained. The State no longer smites these enemies of its public order, but educates them at the public cost and for the public protection.

To all who are actually and successfully engaged in the work of recovering criminals to reasonable social conduct, and habitual, orderly adjustment of themselves to their proper environments, there appears nowadays the dawn of a new light, such as shines upon the theory of the treatment of the insane.

Public sentiment has, pendulum-like, swung back, first from severity to sentimentalism and now it points to science. Prison reform is now based upon a broad philanthropy more and better than regard for the happiness of the individual, looking to the general welfare, and so the happiness of all. Prison science is working out, as it can, in the present progress, a methodical system of penology which is in accord with the true science of our common human nature.

THE ELMIRA REFORMATORY.

By FRANK B. SANBORN.

I. ITS PRINCIPLE AND ITS FOUNDERS.

As every existing institution was first found in the inventive mind of man—oftentimes long before it took material form in the world—so the reformatory at Elmira, the earliest successful development and establishment of certain theoretic truths in the practical form of a prison university, is no exception to the rule. Men of sense and heart, grieving at the failure of the ordinary prison to check crime, protect society, or reform the criminal class, had long been shaping some of its cardinal principles, and these had been applied, with more or less result, in different parts of the globe. Howard, Beccaria, Edward Livingston, Wichern at Hamburg, Demetz at Mettray, Montesinos in Spain, the Quakers in England and America, all these shed some light, either of theory or example, on the difficult problem of prison reform. But, by common consent, the germ of the present reformatory system for criminals was planted by Alexander Maconochie, a British naval captain, of Scotch birth, trained under Nelson, captured and imprisoned under Napoleon, and deriving partly from experience and partly from genius his insight into the depths of the prison problem. His practical execution of his admirable theory was imperfect, but he left the seed in the furrow, and it only needed men more administrative than Maconochie, if not more perceptive, to cherish the plant, and gather the harvest. Foremost among these and in due order of time were the late Sir Walter Crofton, the practical administrator of the so-called Irish convict system, established in 1854–55, and Mr. Z. R. Brockway, the first and still directing head of the New York State Reformatory at Elmira, in the old country of the Six Nations.

Unlike Captains Maconochie and Crofton, who both had military training, one in the navy, the other in the army of England, Mr. Brockway was bred a prison officer, and has followed that profession for more than half a century. He was trained under a strict and sensible officer—Amos Pillsbury of New Hampshire, long the head of the Albany Penitentiary—but life-long experience has taught him more than he could learn from any of his elders. With rare powers of observation and reflection, and a mind formed for systematic thought and methodical direction, Mr. Brockway not only saw clearly and reasoned justly on the work he had to do, but was able, with constructive genius, to frame what he saw, and demonstrated into actual execution, in prison after prison and from

step to step, of the long process whose culmination is the present reformatory for men at Elmira.

Those of us who were members of the first National Prison Congress in Cincinnati, in October, 1870, will remember the admirable report there presented by Mr. Brockway on "The ideal of a true prison reform system," in which, along with other things, were found the principle and formal method of Elmira as it stands to-day. Details have been worked out since, much has been added, but, like the formative ideas of the Platonic philosophy, the substance and active cause of his great institution was ideally and germinatively in that report. Take a few sentences:

The central aim of a true prison system is the protection of society against crime, not the punishment of the criminals.

The causes of crime are primarily in the person; secondarily, in the circumstances that surround him.

The change sought in the character of criminals (called reformation) is of a practical nature, and has to do with daily life in ordinary social relations.

The reformatory should contain dormitories, affording to each prisoner a separate room, such as a respectable citizen might occupy; a dining hall upon the plan of a well-regulated restaurant for work people; a library building and public hall, suitable for reading rooms, religious services, scientific, and other intellectual exercises of a public nature, suitable industrial apartments for the branches of mechanical business carried on; the whole to be organized substantially upon the cooperative plan.

Sentences should be indeterminate; all persons convicted of crimes to be committed to custody until they may be returned to society with ordinary safety.

The true basis of classification for prisoners is *character*, not conduct; good conduct may be assumed, but good character never.

Intellectual education must take a more prominent place. Education occupies the time and affords society in solitude, whose tendency otherwise is always deteriorating.

At a later date, but following the same line of thought, Mr. Brockway added:

Any classification of prisoners will be of doubtful utility unless it is so comprehensive as to provide occupation for all the working hours. The management must know, if it does not direct, all their intellectual exercises. The varied activities of the day should leave no idle moments for hand or head.

Upon these lines, aided by theoretical reformers like Dr. E. C. Wines, philanthropists like Judge Edmonds and John Stanton Gould, jurists like Prof. Theodore Dwight, and others in the State of New York and elsewhere, Mr. Brockway has built up the Elmira Reformatory. The law for its construction was passed in 1866, amended in 1869, and yet the work was going on up to 1876. The law for its government, based on the decisions and discussions of the Cincinnati congress and the experience of Mr. Brockway in Michigan, was passed in New York in 1877; but it was opened for the reception of a few prisoners (though not then completed) in May, 1876. Mr. Brockway, then temporarily detached from prison duties, having resigned the government of the House of Correction at Detroit, Mich., was appointed superintendent, and will soon complete twenty-four years in that office. The

present writer happened to visit him in his first year there, and has repeated the visit nearly every year since, sometimes inspecting the reformatory two or three times in a year. He is therefore familiar with its practical working, as well as its fundamental principles, with which, however, he was well acquainted, and viewed them as sound, long before the Elmira establishment was built. Though essentially the same principles which inspired the Irish convict system of Crofton, they have been, at Elmira, more minutely carried out, and under circumstances far more favorable, both as regards education and industrial training, than was possible in Ireland, with its declining population and political feuds. Nor has any American reformatory had so long a career, or been put to such severe tests as Mr. Brockway's, though several of them have shown excellent results.

II. ITS BEGINNING AND EARLY HISTORY.

The time of planning and opening the Elmira Reformatory was that in which the condition of American prisons, on the whole, was less satisfactory than either before or since. The civil war, which closed in 1865, had left the prisons with fewer male inmates than formerly, but they soon filled up and became crowded at the North; while at the South the freedmen, formerly held in restraint by the discipline of the plantations and mausions (such as that discipline was), were found guilty in the courts of many offenses, chiefly against property, and were thrust into unsuitable small prisons or sent to work in the open air or in mines, upon convict leases, in large numbers, and with insufficient means of managing them, except by rude force. Soon afterwards there began at the North that persistent agitation against the employment of convicts in productive industry, as competing hurtfully with free labor, which has finally banished from many prisons all remunerative labor, and greatly increased the cost of our prisons, while injuring their discipline by allowing or compelling idleness in the working hours, than which hardly anything is so prejudicial to discipline. At the same time, the natural popularity of veterans who had served creditably in the recent war gave many of them official positions in the prisons, and they introduced military and forceful measures of restraint and habit, much at variance with the true science of prison management. On this point, Maconochie, though himself a soldier, held correct views, and stated them sensibly—to the effect that military discipline, which is based on force and aims to produce a general result on masses of men, is completely at variance with true prison discipline, of which the purpose is to mold the individual and guide him to self-restraint, by moral and religious motives.

Coupled with these defects of our prisons, they were anything but systematic, so that scarcely any one of our forty States could be said to have a prison *system*, Massachusetts and New York, which came nearest to that desideratum, having each some omissions that prevented

the systematic operation of the more comprehensive laws, while Pennsylvania, which had given its name to the separate system, had long ceased to require that cellular method in all her prisons. But the old controversy went on, as in the days of Charles Sumner and Dr. Howe, as to the comparative practical merits of the separate and the congregate systems, and neither side quite understood itself or the other. Maconochie, to whom all writers on this formative period in prison discipline must often refer, had appreciated both; and with that insight which is the sure mark of genius, to whatever subject addressed, he had pointed out to Horace Mann, in 1846, that America was the true field for that combination of the two methods which he termed "the social system." He wrote:

Both your present systems, silent and separate imprisonment, are defective. I have never seen the Auburn system adopted without eliciting all the worst propensities. Evasion becomes the universal rule, and the extremely violent and severe punishments inflicted in order to repress this shock every sense of justice and call out all the bitterest and most revengeful feelings. Separate imprisonment, on the other hand, I have always found beneficial up to a certain point, but this point is not a distant one, and if passed unobserved the effect is injurious. If either at Auburn or Sing Sing, where a social silent system is already maintained, you would try a social moral one you would soon get important results, and perhaps even anticipate England in the example of a really persuasive and reformatory system. I feel assured the plan would work especially well in your country. Your people are generally prudent, well-informed, and in the strong feeling of attachment to freedom in which they are reared a system which appeals to the usual impulses of free society should operate favorably on them.

It would hardly be possible to describe more exactly, in so few words, the Elmira system of Mr. Brockway, to which, however, he has added many features not invented by Maconochie. Steering between the two rival systems, it has not mortally offended the friends of either, and it is silently supplanting both in popular estimation.

For many years the leading members of the New York Prison Association, particularly Dr. E. C. Wines, Prof. Theodore Dwight, J. S. Gould, and J. W. Edmonds, had been urging the necessity for a prison in which the younger felons, especially on their first arrest for serious crime, should be treated with a view less to punishment than to their reformation and restoration to society. In this they were joined and aided by prison reformers like Mr. Brockway in Michigan, Mr. Haynes, Dr. Howe, and others in Massachusetts, and Messrs. M. D. Hill, Baker, Crofton, and others in England and on the Continent. Little result followed in New York until 1866, when the original act for building a reformatory prison was passed; then came the amended constitution, removing the State prisons in some measure from party politics; while the buildings at Elmira went on toward construction slowly and at large cost. Finally, in 1876, after some \$700,000 had been spent there without completing the structure, the legislature created a new board of managers, who took charge of the incomplete buildings and appointed Mr. Brockway superintendent. He then proceeded to draft the law

which created, in general terms, the reformatory system as it has ever since existed, not only in New York, but in Massachusetts, Ohio, Pennsylvania, Indiana, Illinois, and Minnesota. In 1893 New York authorized the building of a second reformatory for men at Wawarsing in Ulster county, near the eastern border of the State; but this is not yet completed. Reformatories for women have been opened, however, at Hudson and at Albion, N. Y., and one is now building at Bedford, N. Y. The principle vindicated and illustrated at Elmira in its first twenty years seems thus to have been fully accepted by New York and other States. No such prisons, however, are now in operation in Europe, though the principle was recognized there as early as in America.

Though legally established at a single jet, as it were, by legislation of the State of New York in 1876 and 1877—the latter being the year in which the indeterminate sentence was first adopted¹—the growth of Elmira as it now stands was gradual, and as looked back upon, even appears slow. When Mr. Brockway took command in 1876, his first task was to build an outer wall, so that the temptation to escape should be lessened among the State-prison convicts who were first committed. This was done in part by the labor of the small number first received, and it was long before the original number of cells in the main prison of 1876–1884, only 504, were filled. The average number of inmates did not rise much above 500 for six years. In 1883 it was but 520, and in 1884, 558; but after that it rose rapidly. In 1885 there were 647; in 1886, 711; in 1887, 785; in 1888, 809; in 1889, 922, and by 1890 the average exceeded 1,000. The means of housing, training, instructing, and employing this increased number kept pace with the advancing population, though there was often an inadequate number of cells to permit the first principle of the Elmira system to be strictly carried out—the separate cellular confinement of each convict at night. By day they worked together in shops, or on the farm, and some of their meals were taken in common, but each must go to his own cell at night. They were all to be nominally first offenders (in fact, more than a third of them had been arrested before), not less than 16 nor more than 30 years old; but it often happened that the age would be incorrectly given, and by continuance in the reformatory they would soon pass the upward limit of age. The great majority of them came from what is now the Greater New York; and from the first more than half of those received were either foreign born or the children of foreign parents. At the end of sixteen years and three months (from July, 1876, to October, 1892) there had been 5,900 convicts received, of whom 185 were colored (2 Indians, 4 Chinese, and 179 negroes and mulattoes) and 5,714 were white. Of the latter, 1,163 were foreign born and 1,803 of foreign parentage. Therefore, out of the whole 5,900, not less than 2,709 were of unmixed foreign blood, while 361 more had one foreign

¹ It had been passed as law in Michigan in 1872, but set aside by the State supreme court as unconstitutional.



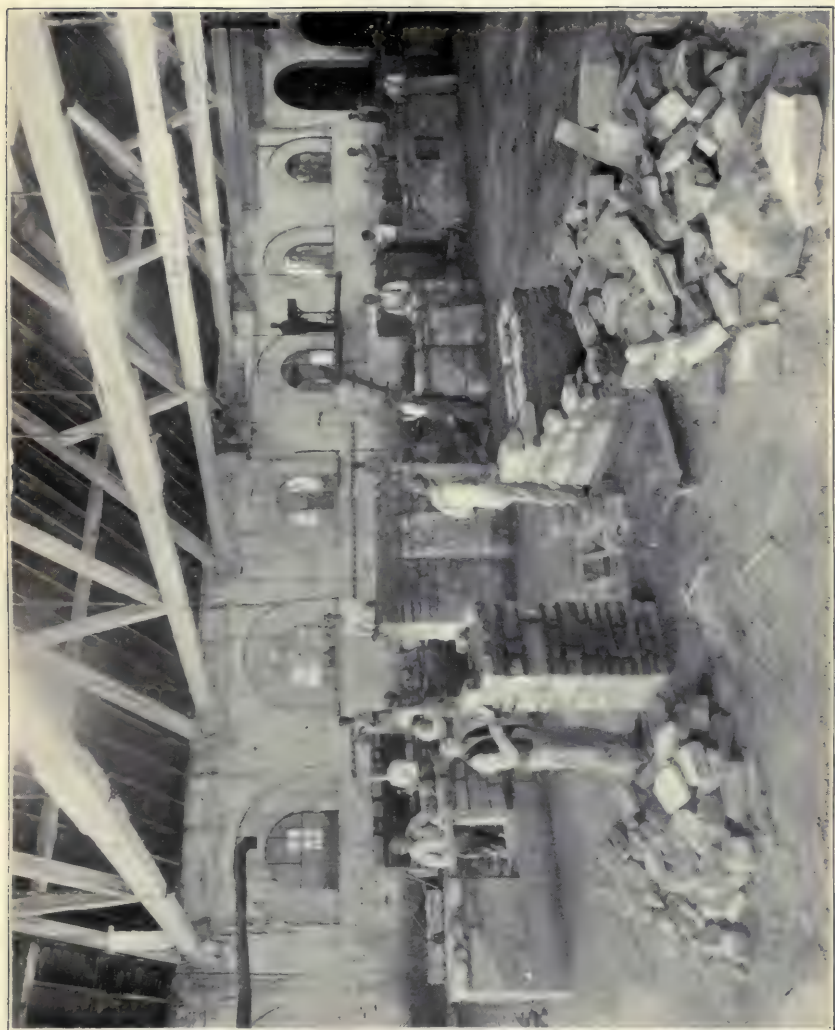
ELMIRA REFORMATORY. CARPENTRY.



ELMIRA REFORMATORY. SIGN PAINTING.



ELMIRA REFORMATORY. FRESCO PAINTING.



ELMIRA REFORMATORY. BRICKLAYING AND MASONRY.

parent, though born in the United States. Nearly half of the 2,900 had Irish parents (1,472), or more than one-fourth of the entire number. Of other foreign countries, Germany came next to Ireland as the origin of the inmates; then England, France, and Canada. The later statistics give results very similar.

In 1886, 288 cells were added to the south of the main building. In 1890 a north extension added 504 more, which were opened in 1892. Even then there was not cell room enough for the increased population, for in 1892, with 1,396 prisoners, only 1,296 cells were available. At present, after another enlargement of cell room, there are about 1,580 inmates—the whole number of commitments in twenty-one and one-half years having exceeded 8,500. Four years ago a second State reformatory (also for young men, and on the same general principle as Elmira) was authorized by the New York legislature, but has yet received no commitments.

It appears, then, that the authorities of New York are so well satisfied with the results attained at Elmira that they are continuing the good work elsewhere, while half a dozen other States have already opened reformatories on the Elmira principle. None of these have yet had the extensive and varied experience of Mr. Brockway's establishment, though the Massachusetts reformatory for women at Sherborn is nearly as old, having been opened in 1877. Nor have any of them been subjected to the severe tests which Elmira has undergone, through the accumulation in the community of a considerable number of discharged inmates and a few discharged employees, whose malicious reports, aided by the ambition of certain newspapers to establish a reputation as reforming agencies, led to a year or two of investigation by State commissions in 1893-94. The reformatory stood this test well, and in some respects benefited. One of these benefits was an involuntary one. The agitation aroused in the minds of some of the judges who were sentencing culprits to Elmira an unwillingness to sentence others until the result of the investigation should become known. Accordingly, the large number of commitments in the years immediately preceding the inquiry was considerably diminished during the years of investigation, and consequently the reformatory escaped a hurtful degree of crowding, and was thus better able to meet present exigencies and the demands of the future. It has suffered, however, for nearly fifteen years from an excess of inmates beyond its actual capacity, at most times, to lodge and employ them in the best manner. This also had its advantages in the long run, for it compelled the managers to devise all possible ways to meet the demands thus made on their energies to provide not only for the maintenance and restraint of this brigade of young culprits thus thrown upon their hands, but also for their instruction in books, in morals, in trades, in the military art, and for the systematic improvement of their health and mental powers by a course of hygienic and gymnastic treatment carried on by experts and directed by an intelligent young

physician, Dr. Hamilton D. Wey. Every step in enlarging the scope of the reformatory in such directions was almost forced upon the managers by some contingency that had to be met at once, like the provision that must be made for the occupation of hundreds of the inmates, when the law took effect which forbade certain modes of employing labor in the prisons. Without murmuring at the law, which was afterwards modified, Mr. Brockway at once fell back on the use of military drill during the hours that would otherwise be wasted; he organized a battalion of soldiers, afterwards increased it to a regiment; in time built a fine spacious armory for their drill room in stormy or severely cold weather, and has now brought the knowledge of his men to a high point of military excellence.

III. GENERAL AIM AND WORKING PLAN AT ELMIRA.

The aim of the Elmira system being to reform criminals, or as many of them as are susceptible of reformation—and experience shows this number to be much larger than was once supposed—the indeterminate sentence is the first step in the process. This gives to the managers custody of the culprit for the maximum time which the statute allots for his offense, two, three, five, or more years, and thus allows scope for the reforming agencies. These are, education (in a very full and broad sense); employment, sometimes in productive labor, sometimes only in the acquiring of a trade, and regularity of conduct; the whole to be determined by a system of marks, such as are used in ordinary school life, but more accurately noted and kept. In order to stimulate diligence and good conduct, the men are assigned to three grades (of late to four, by the division of the upper grade into two), and by good or bad marks for a month are permitted to rise into the grade above or are forced to fall into the grade below. When the highest grade is reached the culprit is a candidate for release on parole (conditional liberation is the technical term for it); and when his parole is expired he can become his own master and be at large in the world once more. So, as Dr. F. H. Wines has said:

The indeterminate sentence is the first element, reformatory discipline the second, and conditional liberation the third; the three are logically and inseparably connected.

More fully set forth by Mr. Brockway himself, are the “means brought to bear” for the reformation of the offender. These are arranged in nine classes, numbered and described as follows:

- (1) The desire for release, as utilized by the indeterminate sentence, and the “monetary” marking scheme.
- (2) The gradation of prisoners, with increase of comfort and privileges, as they advance from the lowest to the highest grade, and under a wage-earning system.
- (3) The benefits of a thorough education, embracing every inmate, from the illiterate to academic classes, to be carried on by a very advanced educational method.
- (4) The good influence of the military exercises, persistently followed up, supplying much the same training as that given in a good military academy.

(5) Training in trades for every inmate, with a special aim of fitting him to earn his own living by legitimate work; and therefore adapted to a practical preparation for his true place in free society as an industrial unit.

(6) Scientific physical training for those who need it, in a well-appointed gymnasium, with competent instructors, and under daily direction by the physician.

(7) Manual training adapted to those of specially perverse or arrested and disorderly mental faculties.

(8) An improved use as food of those elements which best nourish and improve tissue, thus promoting health, steadying the nerves, and producing habitual moods and capabilities better suited for application and persistence.

(9) Finally, above and through all these agencies, active moral and religious influences, which are used and valued to increase ethical power in the inmates.

As the indeterminate sentence alone has permitted these means to be fully employed, so next in importance is classification and gradation, in regard to the diversified character of which Mr. Brockway has recently made these remarks:

The principle of classification is a fundamental requisite for any useful effort at reforming criminals; and its practical extension at Elmira may be thus described:

(A) There are three character grades, with two subgrades, one for incorrigibles, the other for some who seem to be cured of their criminal intent, but for one reason or another are detained in service, with or without pay. This last subgrade is very small. The privileges of each grade differ, the object of the whole scheme being to intensify motives for self-support and improvement.

(B) There are three intellectual grades, comprised in 28 classes for mental development and school instruction and common knowledge.

(C) All are then classified in trade classes, dependent on idiosyncracies and earning opportunities, the aim being to fit each one for easily earning an honest living, with legitimate pleasures, in free society.

(D) Again they are classified in 16 military companies (4 battalions and a regiment) for drill and training, with the manly feeling, bearing, and movement thus likely to be gained.

(E) For a third time they are classified, now by religious persuasions, either of themselves or their families, into Roman Catholic, Protestant, and Hebrew divisions, not to maintain or promote sectarianism, but for better impressing the men themselves, and incidentally to cultivate a tendency for religious association, when released, with others of their own faith.

(F) The specially defective are next divided in three groups, each representing persons of like deficiency. The first group contains those mathematically incompetent; the second those grossly deficient in morals, and the third those generally dull. These groups are again subdivided into sections for training by manual exercises, which may aid them to overcome their respective defects. Thus this whole special classification forms a manual training class,¹ occupying the time each day for these persons which is not taken up with the general reformatory work.

(G) A smaller number are in the physical training (or renovation) group, made up of the anæmic and undeveloped, the semiinvalids, the feeble-minded, those showing mental aberration, the sexual perverts, the moral imbeciles; to whom are added all prisoners newly arrived, who for a month are treated with baths and physical exercises in the gymnasium. The aim here is to repair and fit the organism for its normal functions, increasing nervous energy, and thus strengthening character.

Apart from the obvious uses of this complex classification, it incidentally involves in the officers the possession of accurate knowledge of every individual inmate; since only so can he be duly assigned to

¹ For recent results of the classification F, see page 44.

his proper grade, and there observed and recorded by the mark system, soon to be described. They are also, as a whole, to be regulated and kept under observation from the time they waken in the morning till they retire fatigued to their cells. The labor thus imposed on their officers is very great; but the result seems to justify it.

Let us now follow the individual convict, between the ages fixed by law of 16 and 30, as he comes from the court which has sentenced him, brought by an officer of the reformatory, not by the ordinary deputy of the court, and enters the office of Mr. Brockway for a first examination. He there reveals to a very searching eye a good part of his history and present capabilities, is assigned to the lower first (numerically second) grade, instructed in the rules of the place, and set to that labor and schooled in that class which seems best fitted for him. By a system as rigid and laboriously recorded as that of a merchant's bookkeeping, he gets a mark for his performance in the shop, the school, and in moral conduct. If he falls below a certain standard he drops into the lowest grade; if he keeps up to the standard for six months he is admitted to the upper first grade, where, if he remains without censure for six months, he becomes a candidate for "parole" or conditional liberation. But before he can go out by this ticket-of-leave system a place must be found for him where he can work at his trade—now usually one which he has learned or practiced at Elmira. This being secured, he goes out, and, after a period of good behavior for six months, he may be, and generally is, discharged from the prison for good. Nor does he very often return thither; out of the 5,000 first paroled, less than 365 were sent back under reformatory authority—not one in ten. Even if he returns he may be again paroled, for more than half of those reported as returning to confinement were again set free. His chance of dying at the reformatory is very small, for only 130 in 8,000 have yet died there, the age of those committed being favorable to their continuance in life.

At this point it may properly be inquired how fast the convicts at Elmira succeed in reaching the upper grade, and remaining there long enough to justify sending them out into the world as paroled men, and how well the latter class perform what is expected of them upon their conditional liberation. The Elmira statistics, very full upon most points, are satisfactory here, and, up to October 1, 1896, they show the following facts:

At that time there were 1,373 convicts in custody, of whom only 52, or not quite 4 per cent, were paroled men returned from freedom. But these 52 were only about 1 per cent of the whole number who had been paroled in twenty years (5,083), of whom nearly 5,000 are supposed then to have been living. The average period in prison of these paroled men had been less than two years (22.8 months), although their maximum sentence averaged more than twice that time. Of those then in prison the average detention was only twenty months, but would be somewhat longer before discharge or parole. Among 1,353 inmates then under the indeterminate sentence, 74 only were in the lowest or punishment grade; 485 were in the neutral

grade; 498 were in the lower first grade, and 298 were in the upper first or probationary grade. Of the latter, 66 reached that grade after only six months' trial; 57 from seven to nine months; 25 from ten to twelve months—that is 148, or more than half, in their first year's residence. In their first year's parole 329 convicts of the same year's liberation showed at the end of the year these facts: Eighty-three were absolutely set free for good conduct; 165 were still serving, and of good conduct; 2 were dead, 2 discharged upon expiration of the maximum sentence, 9 sent to prisons, and 68 had failed to correspond with the Elmira authorities, who computed that half, or 34, had resumed evil courses.

This is something less than the former rate of relapses into crime, which was estimated at more than 15 per cent. The number known or supposed, on good circumstantial evidence, to be practically reformed somewhat exceeds 80 per cent, a result not to have been expected in advance, and yet, natural enough, all things considered. For, as Macnochie said of his convict management at Norfolk Island, sixty years ago, the Elmira authorities have been working with nature and not against her. A shrewd Scotch detective, thirty years ago, said of the old prison methods:

The simple truth is that punishment hardens; it is forgotten by the prison people that they have clay, not gold, to work upon; and so, while passing their material through the fire, they are making bricks, not crowns of righteousness.

No such mistake is committed at Elmira.

The statistics of the Elmira reports, showing so large a percentage of paroled men virtually reformed—that is, no longer coming under penal sentence—have sometimes been questioned. Therefore, about ten years ago, when the parole system had been in active operation for more than ten years, a special inquiry was made by the managers, who employed an intelligent and experienced clerk for nearly a year tracing out the facts concerning all the Elmira convicts who had been paroled up to that time. The result of all this inquiry by agents, officers, and through correspondence, was to confirm the accuracy of the 80 per cent reports previously obtained by inquiry from year to year. It is obvious that no such calculation can be minutely accurate, for there are hundreds of the paroled men who disappear from view in the ceaselessly shifting currents of industry and migration, in a country so vast as ours. But in the several attacks made from time to time on the Elmira administration no substantial proof was brought forward to show that its figures of virtual reformation were incorrect; and we may therefore assume that they are the nearest approach to an exact percentage which the case allows. No other prison in the world has ever been able to make so good a showing, for none has ever, for so long a time, put in practice so many of the agencies which the nature of the criminal class requires for its restoration to harmless or beneficial social life.

The whole number of men received at Elmira up to October 1, 1899, has been 9,865; the whole number paroled, 6,190; the number in confinement was 1,384. Of the 2,291 remaining to be accounted for, 841

were sent either to the State prison or to the insane asylum, 1,151 were discharged by expiration of sentence, 27 were released without parole, 39 were pardoned, 179 died at Elmira, 26 escaped, and 28 were released for errors of some sort in commitments. Less than 9 per cent therefore seem to have been transferred to other prisons or to the criminal asylums at Auburn first and now at Mattewan.

IV. INDUSTRIAL, MANUAL, AND PHYSICAL TRAINING AT ELMIRA.

In the natural order of things it would be supposed that physical training, the building up of weak and degenerate bodies into health, would precede manual training, the education of the hand, and that industrial training in arts and mechanics would come last of all. But in fact, in the evolution of the highly-developed system created at Elmira, industrial training had to precede, chiefly because occupation is so entirely necessary to any discipline in prisons, and because for years after 1876 it was still held by the State authorities of New York that the vicious and criminal, who had been useless out of prison through idleness, should make themselves useful in prison by earning their own support, or a good part of it. Consequently, Mr. Brockway, who had been eminently successful at Detroit and Rochester, where he managed district prisons, in making his convicts earn by their labor, undertook to do the same thing with his longer-sentenced convicts in the reformatory. He introduced productive labor, made it tributary to the reformation of the laborer, and supplemented it with school education far more systematically than had ever before been done in America. But he soon found that this was but a partial good for his men and his system; both needed that varied manual and industrial schooling which the "trade-shops" have now supplied. Moreover, the managers were driven to this course by the increasing outcry in the legislature against prison industries as competing with free labor. The range of their manufacturing industry, which had been wide, was so narrowed by legislation in the line of restriction on convict labor that trade schools for industrial training, with a view to the self-support of the discharged prisoner, and military exercises for his physical training before going out into the world, became essential to the discipline of the reformatory. Finally there followed an increased attention to the more elementary physical training which corrects defects, reduces malformations, and stimulates bodily and therefore mental activity; and this was connected with that special manual training which has been mentioned as an aid to the development of feeble intelligence. Consequently, productive industry has now given way at Elmira to strict industrial training, mainly, the school shop, the drawing class, and instructions in some thirty trades and arts, while the armory for military drill, and the gymnasium and Roman bath for general and special physical training, have been built later. These will require special consideration, as being new and almost unique as yet in

prison management, though found to some extent in establishments for the feeble minded and the insane. But here we may consider the great development which trade instruction has had under Mr. Brockway, and its effect on the continued exemption from crime of his paroled and discharged men. Few persons were aware, until careful prison statistics established the fact, to what a degree the so-called "first offenders" (who alone by law can be sent to Elmira) are destitute of any trade or industrial employment by which to get an honest living. This fact of lack of earning capacity accounts in part for their falling into crime; and, therefore, if they can be made capable of earning a living, and placed in a condition to do so, they are better protected from temptation to vice than by other means which have often been thought more efficacious. Now the ordinary line of productive industries in a prison does not give this earning capacity to one-half of the discharged convicts; they must have a far greater variety of occupations to choose from. Reasoning in this way Mr. Brockway introduced, one after another, a larger variety of trades than has ever been seen in a prison elsewhere; all the chief mechanical and semi professional arts, in fact, which are in demand in New York, Pennsylvania, and New England, whither most of his discharged men go at first—drifting away farther in course of time.

When the National Prison Association was reorganized at Saratoga in 1884 Mr. Brockway had been at the head of the Elmira prison for eight years, but had not made much use of trade schools, if any. In his address at Saratoga, after dwelling on "the primary condition that God Almighty has put upon the race, as the means of growth and development, the necessity of earning a living," he said:

We are trying everything. Industrial art has been found a wonderful stimulus to many prisoners. I am going to work along that line, but I can not discuss that now.

When I began to lecture on prison management at Cornell University in 1885, and took a class of 50 students to Elmira, he was beginning the introduction of industrial training in the view now taken, as a preparation for self-support outside; and, during the four years I continued to visit with my students, the experiment was going forward and developing rapidly and usefully. It began, really, in 1884, when the New York legislature abolished the contract system of labor, causing at Elmira a residuum of unused portions of plant and materials, which it was worth while to put to some use. At first they were employed in productive labor; but from 1884 more attention was given to industrial instruction, and an art school was first opened and kept for a season by a professional artist. This was good, but not complete, and in 1885 buildings were put up in which not art alone but the teaching of a few common trades was carried on. By 1890 240 men were taught in the drawing classes, and there was also practical instruction in bricklaying, carpentry, plastering, painting and frescoing, plumbing, blacksmithing and

horseshoeing, pattern making for molders, brass finishing, cabinet-making, printing and binding, stone cutting, hardware making, and the barber's trade. More than 1,100 convicts were in that year taught some of these trades, and 98 were graduated as having taken the entire course of trade-school instruction in some one of 11 trades. Two years later, in 1892, the number who received trade instruction had increased to 1,615, and 37 distinct trades were taught, although in practice several of these trades are generally used by the same workmen in the outside world, such as carpentry and cabinetmaking, horseshoeing and blacksmithing; painting, sign painting, and fresco painting, etc. The largest number (227) learned bricklaying and plastering; but 110 were machinists, 116 learned iron molding, 9 brass molding, 82 cabinetmaking, 59 plumbing, 57 printing, and so on. Of the 672 committed during this year more than 600 had no trade when received, but of the 338 who went out 154 went to self-supporting trades they had learned in Elmira, and 291 went to trades, either directly or indirectly, when paroled. There were only 28 among the 338 who had received no trade instruction at Elmira. The plant and material used in 1892 for trade instruction then stood at a cost of \$156,649, but had been mainly derived from the earnings of the convicts at productive labor.

The investigations of 1892-93 somewhat checked the course of trade instruction, yet not materially. In 1895 the whole number receiving instruction was 1,682; and an average of 863 men met two evenings in each week to receive instruction in 25 trades. Of those paroled in 1895, 224 went to carry on some trade learned at Elmira, while 243 men completed the course of instruction in some one trade. Yet the whole value of the plant and material at the end of the year, for trade instruction, was less than \$150,000, or less than \$100 for each man instructed. Seldom has so good a work been carried on at so low a cost for plant and outfit. In 1896 instruction in trades was given to 1,810 men, and the number of graduates was 277. The investment in plant and material at the end of the year had fallen to \$118,524. At present every paroled man is expected to go out to a trade which he has learned at the reformatory, unless he had a trade when committed. Of 296 paroled in 1897, 284 went to such trades. What, then, as finally developed, is the industrial training in use at Elmira? As the next chapter will show, the chief business of the evening hours, and of Sunday, is mental and spiritual training; and so the daylight hours of the first five week days are spent in acquiring skill and dexterity in the use of tools in various trades. Saturday is exceptional, and is largely occupied with the weekly bathing, and with military drill and parade; but during most of the working time between Sunday night and Saturday noon, the reformatory is a great technological training school, in which more than 30 recognized and constantly practiced trades are taught to more than 1,200 young men, more than nine-tenths



ELMIRA REFORMATORY. DRAFTING ROOM.



ELMIRA REFORMATORY. LATHE ROOM.



ELMIRA REFORMATORY. MACHINE SHOP.



ELMIRA REFORMATORY. ORNAMENTAL STONECUTTING.

of whom have had no regular vocation in life, and no special desire for one. Mr. Brockway undertakes not only to give them the rudiments of a trade by which they can live, but to awaken an ambition to continue in its exercise, and thus perhaps rise to something more skillful and higher. He therefore selects for each man the trade which seems best suited to his antecedents and to his future condition, and assigns the newcomer to that class in mechanic arts which leads to the practice of that trade. This selection is much influenced by what can be learned of the habits and occupations of the convict's ancestors, and of the various employments likely to be in demand in the community to which he will go when paroled. Very few of the men have a preference for the trade to be chosen, and still fewer give an intelligent reason for their preference when they have one.

The selection being made, such instruction is given oftentimes that the youth can graduate a journeyman; but more frequently the time is too short and the opportunities of practice too limited to make him more than an advanced apprentice. Yet this lesser knowledge has been gained in less time than an outside shop would have spent in imparting it, and the apprentice, if he will, can soon attain a market value as a mechanic or semiprofessional.

Physical training on a large and methodical scale began at Elmira in 1890, when the new gymnasium was opened with all its fine appliances. But it had been used tentatively and increasingly by Dr. Wey the younger since 1886, and particularly much had been done with massage, Turkish baths, and light gymnastics, as well as with military drill (after 1888), to quicken and bring into line the dull and physically abnormal among the inmates. This class—well known in all prisons, but seldom so thoroughly studied as at Elmira—are thus described by Dr. Wey:

Morbid minds and undeveloped, poorly nourished, and diseased bodies had made them stupid, slow, disinclined, if able, to apply their minds to useful knowledge, and, generally, unprogressive. Many are illiterate, and some are ranked not much above idiots. So long have they existed without effort made to cultivate their faculties that their brain yields slowly, if at all, to the ordinary processes of education. They are incapable of receiving and retaining impressions with sufficient regularity to make headway in the simplest trades taught here, and are only fitted for inconsequential work in the ordinary prison shop. In conduct they rank with incorrigibles, often because they have no appreciation of the distinction between right and wrong.¹

For this considerable class, and for those suffering from remediable physical defects, the physical training at Elmira has done an amount of good hardly to be expressed in words, while it has pointed out the way to meet, by this training, one of the most serious obstacles in the discipline of many charitable establishments. The classes undergoing Dr. Wey's treatment range from 150 to 250 in a year, according to the aggregate numbers in the reformatory. In addition to these regular

¹ For further facts see a subsequent page.

subjects, all the new admissions are for a time tested in the gymnasium, so that the total number who benefit thereby may exceed 500 in a year. They gain in weight, in muscular power and vigor, in mental clearness, and in moral improvement. No part of the system pursued at Elmira has attracted so much attention as this among sanitarians and alienists, and the course adopted has increased materially the scientific knowledge of the world respecting the much-debated class of "degenerates." The expense of the treatment, after the first outlay for equipment, is not large.

V. THE SCHOOLS OF LITERARY TRAINING.

When Mr. Brockway opened his prison work at Elmira the prison school hardly existed in the United States. He had inaugurated something of the sort in his minor prison at Detroit, and there had been sporadic and ill-sustained efforts to teach convicts something in school classes in several States. But the chief example known in 1876 was that afforded by Mr. Organ in the Irish prisons, where also it was uncertain how much was due to the system and how much to the genial and devoted schoolmaster, without much system. All this has changed in America, and largely through the comprehensive and yet eminently practical scheme of school instruction instituted at Elmira. Hardly any academic or collegiate institution has expended so much thought or established so logical and productive a method of intellectual and moral training as this prison university at Elmira can show. It begins at the right point, proceeds on the correct theory, and uses the best methods. Its results, also, considering the low grade of its pupils, are quite remarkable. The school and the library, supplemented by that unique weekly newspaper, the *Summary*, which is itself an adjunct of the school, not only advance the general good of the convicts, but strongly promote good discipline, and are a signal aid to the industrial training. The method followed is, first, to have teachers of a high grade. Then to make much use of lectures, private reading, and written examinations at set times; and, finally, to sharpen the intellect by discussions on serious topics, not to dull the mind by suppressing opinion or failing to encourage its freest expression. The class in practical ethics, composed now of some 300 of the more advanced learners, is the culmination of the school system, and is a debating society concerned with high and moral subjects of thought and feeling. Few who have been present at its debates will ever forget the liveliness and shrewdness of these imprisoned orators and casuists.

What is now styled at Elmira "manual training" is not the ordinary discipline of the hand for excellence in manual labor, but a system lately introduced as an adjunct to physical training, and a preparation for school exercises in case of the inmates who are found to be intellectually or mechanically defective, and for the so-called "incurribles," whose incorrigibility often comes from the defects just specified. In this part of the education of convicts the sloyd system is found to be

very useful, and the mental result, as in case of the more exclusively physical training, is often surprising and gratifying.

The school of letters, as the ordinary schools are called at Elmira, holds its session two evenings in a week (Tuesday and Friday), the other evenings, except Saturday and Sunday, being devoted to instruction in the trade schools. There is a normal class of inmate teachers, usually under instruction by capable outside instructors as to the best methods of imparting knowledge (here largely oral and by object lessons), while the knowledge of the pupils is frequently tested by written examinations. The marking of the school proficiency of each inmate is strictly done, and has an influence in promoting or reducing the grade of each man. The library, of some 4,000 volumes, in constant use by inmates, and the weekly newspaper are very important aids in the school instruction; the newspaper also serves usefully in publishing rules, notices of exercises, the holding of courts, etc., and thus promotes good discipline by making it difficult for the convict to remain in ignorance of what is required of him and what opportunities are afforded him. The class in practical ethics often has its debates and the lectures delivered reported in the Summary, which is also used as the vehicle of much valuable information on penal and reformatory subjects in general.

Among the inventions which have proceeded, one after the other, from the fertile minds of the Elmira authorities, none is more significant than their creation of the prison newspaper. This had long been desired by prison officers—a vehicle of information and instruction for the convicts, which should be free from the defects of the ordinary newspaper and yet so prepared as to hold the attention of the reader and serve as a basis for moral improvement as well as a key to the events of the outside world, with which Mr. Brockway, more than most prison governors, wishes to keep his men in touch. In 1883 the problem had been thought out, and was ready to be solved, as such problems mostly are, by experiment with the thing to be created. A little sheet was issued, too small to do much harm if it was found to do little good; and from that faint beginning the Summary has grown to its present assured success. The introduction of the half-tone engraving process, which has now been carried to a great perfection at Elmira, enabled the editors to illustrate the weekly issues, and those special, enlarged ones that now so often appear, and have made known to the world at large better than could have been done by description alone, the interior arrangement and daily routine of the reformatory. Other prison newspapers have since been established, and are excellent; but none has been quite so progressive and laudably ambitious as the Elmira Summary. It now prints weekly some 2,500 copies, of which upward of 1,500 are used in the establishment itself, and the rest go out to different cities and countries, wherever it is desired to know what the Elmira prison university is doing or is going to do next.

VI. MANUAL TRAINING IN 1897.

The recent yearly report of the director of the manual training department for the official year 1897 gives me the opportunity to present more fully this newest of the measures adopted to bring up toward the front those laggards in learning and conduct who are found in all such collections of convicts. Like most of the improvements made at Elmira, as already noted, this one had for its stimulus a pressing need—the need of increasing the number qualified for parole, so that the reformatory should not become too crowded and the lower grades too full of slowly promoted prisoners. The failures which delayed promotion were found to have deep causes, moral and physical, affecting hundreds of men, who therefore do not respond readily to the usual reformatory influences, and need some active treatment in other ways. A peculiar manual training was chosen, based on a physiological fact long observed, viz: In the brain centers there is one which controls the right arm, for instance, so that when that center is atrophied or diseased, the muscles of that arm grow powerless. It is thence inferred that it may be possible, by cultivating the activity of those muscles, to create a better condition in the corresponding part of the brain. Proceeding upon this theory, certain muscular movements have been selected for practice, where special mental defects are to be reached; and though the work done was at first largely tentative, yet certain definite results seem to have been reached. Thus, for those mathematically defective, a course of mechanical drawing, sloyd, athletics and calisthenics, clay modeling and mental arithmetic, followed up by cardboard construction and wood turning, after weeks of steady practice in clay modeling, has seemed to quicken the mental powers of 34 out of 129 men thus trained. For 200 other men, put under a different but specific training for “development of self-control,” the result was less marked but still valuable; for a total of 216 men who were under training a whole year, the graduates were 74, and those more or less improved were 47 more; so that more than half showed real improvement. The details of this new work are carefully arranged and seem well suited to the end sought, and the attainment has been in some cases so remarkable as to give strong hopes of its great value hereafter.

VII. SUMMARY OF THE ELMIRA SYSTEM.

It will be seen by those who have followed this essay thus far that the aims of the Elmira prison reformers are quite far-reaching and complicated. They have, in fact, developed a prison science while constructing a reformatory prison system. Not content with using the powerful agencies of hope and fear, reward and penalty—for there are severe penalties, hereafter to be named—Mr. Brockway and his friends have created a complex but symmetrically working mechanism of daily schooling, occupation, sanitation, drill, and moral and manual training which keeps those primal agencies in constant activity. As in the barbarous but sometimes useful old prison treadmill men were

carried along a narrow activity against or with their will, as they might choose, so here the convict is placed in a succession of movements which not only carry him along whether or no, but which sooner or later—and generally quite early in the process—convert his will to the promotion of his own improvement. The way is not so much made easy to him as it is made desirable; and so skillfully are the steps devised that ordinary and almost unsuspected motives bring him forward in a natural advancement. Consequently, the public sentiment of the convicts themselves is enlisted on the side of reformation; and though there is much vice, and many sins of omission on the part of the prisoners, there is not, and can not be, that steady corruption of morals and weakening of mind which goes on in so many prisons. Of cruelty, properly speaking, there is none; of severity much; of grace and mercy still more. The best friends of the convict are those who keep him in the line of progress at Elmira; he has seldom, if ever, had such useful friends in the course of his ill-guided and unlawful life. He is kept from that idleness of mind which is proverbially “the devil’s workshop;” nor is he allowed that physical idleness which saps and ruins the bodily health.

He is under the eye of trained sanitarians, who apply to him not only the means of restoring health if he is ill, but those higher resources of modern science by which his daily vigor is enhanced; and the dull faculties of his intelligence and the tool-using skill of his hand are developed in unison. He is taught a practical trade, never open to him before, and thus he has the chance, if he will but avail himself of it, to become a useful member of society and not a drone or a destructive in the social hive. And all this, which would once have been thought chimerical or mere superfluity of theory, is now found to be a better protection to society than the bloody and vindictive punishments of the last century. To be sure there are punishments, not for the sake of punishing, but to bring the recalcitrant convict within the circle of his own reformation, against which he often strives. In spite of the rare opportunity offered at Elmira for the young criminal to get a good education, at school and trades, not every one will voluntarily improve it. Some must be coerced; others, and always many, are indisposed to practice self-control, without which a prison can not be orderly. To such, coercion must be applied by temporary detention in a cell, under some physical restraint, or by permanent cell detention for weeks and months, in extreme cases, but with daily exercise. For a small class of the more obdurate, or for exceptional cases where benefit will follow, corporal chastisement (“spanking”) is used under Mr. Brockway’s own hand or eye. This last has never been known to have evil results, such as often follow solitary confinement, which is the alternative, and it has proved most salutary in many cases.

At what cost, then, have these effects been obtained at Elmira? The prison plant, now large enough for 1,500 men, with the needful

officers, has cost a little less than \$1,500,000, or not quite \$1,000 for each man. The yearly net cost is \$210,000. The number of prisoners (average) is so near 1,500 that it may be taken as the average. The average annual cost of each prisoner, therefore, is about \$140, or \$2.70 a week; a sum very small when all that is done for the total population of 2,000 and upward in course of a year is considered. Nor could this cost be kept so low were it not for the large number of unpaid prisoners employed in different military, monitorial, and police duties—at present 100—who do what in most prisons is done by paid civilians; yet so thorough is the system that these men, besides reducing the cost, actually promote the discipline, being rewarded for good conduct by appointment to these tasks of instruction, supervision, etc. The paid officers, including six paroled prisoners, number 126, and the salary and pay-roll aggregates are less than \$80,000, including the board allowance by which the employees pay their own board at the prison restaurant. It may be noted also, at this point, that the prisoners have a certain currency which is applied in the same way, so that each man may regulate his own food supply within certain limits. This was an invention of Maconochie at Norfolk Island, toward which, as a practical aid in both economy and discipline, the Elmira authorities were long looking forward, before the arrangement of the dining rooms allowed it to become available. An essential feature of the Elmira system is the power given to the managers to transfer their incorrigible inmates to the ordinary State prisons at Auburn and Clinton, and their insane men to the criminal asylum at Matteawan, near Fishkill. At his trial it often happens that the young criminal would prefer a sentence for a definite time to the State prison, but after experiencing the life at Elmira he generally regards a transfer as a hardship. It therefore serves as an incentive to good conduct to hold the penalty of transfer to Auburn before the ill-conducting convict; while, without this power, Elmira would gradually fill up with the really incorrigible, and thus the reformatory influence of the system would be neutralized. Of the 1,986 prisoners from the courts living at Elmira for some part of last year, 80, or less than 2 per cent, were transferred to State prisons; while of the 8,750 inmates received during almost twenty-two years, not quite 800, or about 9 per cent, as already stated, have been transferred either to State prisons or the criminal asylum, which, for more than half that period, was a part of the Auburn Prison. It would therefore appear that the courts understand the cases coming before them so much better than formerly, that the need of transfers is lessened; but it can never be wholly ignored, for the reasons given. It is also a striking fact that the active pursuits of the Elmira inmates, coupled with their younger age, prevent the incidence of insanity to as great a degree as it is found in other prisons. This is an additional, yet not unexpected, advantage of the system I have been describing. Theoretically it has been an objection to the indeterminate sentence,

and the methods of parole and detention at Elmira, that they place the fortunes of the prisoner in the hands of his keepers rather than in the power of the local courts. Practically no injustice has occurred from this fact which could be compared for a moment to the daily injustice experienced in those courts where the casual word of a policeman, the error of a judge, or the bias of a jury may inflict irreparable injury. At Elmira the evidence for or against an inmate is daily before the minds of persons who have no interest, and small occasion, to detain him in prison if the indications of character and conduct do not warrant his imprisonment. His judges there are persons of experience, as impartial, surely, as the ordinary police justices of Greater New York, and behind them stand the absolutely impartial board of managers, ready upon evidence of injustice to correct it without exposing the convict to the cost and delay of an appeal to the courts, always crowded with business and very expensive to the poor. Instead of changing the venue in these cases from a judicial to an uninstructed tribunal, the law practically has created a court which is more judicial than the judges, and whose decisions have combined justice with mercy to a degree unknown in most tribunals.

In a country so extensive as ours, with so many varied jurisdictions, it requires much time to trace the results, for good or evil, of any system affecting the criminals of a single State, even so large as New York. But all that we know of the Elmira system and its fruits is in its favor. It has improved by its early errors, having within itself the power of amendment, and has so commended itself to other States that it is now the dominant system in this country, sure to be adopted as fast as prison science becomes understood by legislators and judges, and attracts the favorable notice of experts in foreign countries. It is susceptible of further improvement, and of extension to other prisons than such as receive first offenders; but that its cardinal principles can be overthrown seems impossible, so long as human nature continues to be what it is; for this is founded on that wise knowledge of human nature which alone secures perpetuity for human institutions.

A STUDY OF PRISON MANAGEMENT.¹

By CHARLES DUDLEY WARNER.

Our failure in the handling of criminals with reference to their reformation, and the proportionate security of society and the decrease of taxation, is due largely to the fact that we have considered the problem as physical, not psychological. The effort has been to improve prisons and the physical condition and environment of prisoners. This effort has been directed by sentiment, rather than upon principles of economy and a study of human nature. It has been assumed that if convicts were treated with more kindness, if they were lodged in prisons well warmed and well ventilated, light and airy, in cells more roomy and comfortable, if they had better food and more privileges (graduated on good deportment), they would be more likely to reform and to lead honest lives after their discharge.

This move was dictated by philanthropic motives, and I am far from saying that it is all wrong. But it has not produced the results that were expected, and it seems to me that the revolt in the public mind against what is called the "coddling" system is justified by facts and results. The modern model prison is a costly and architecturally imposing structure; it is safer to lodge in and freer from odors than most hotels; its cells are well warmed, lighted with gas, and comfortable; it has a better dietary than most of its inmates are accustomed to; it has bathrooms, a library, often large and well selected; an admirably arranged hospital; a cheerful chapel, garnished with frescoes and improving texts; there are Sunday services and Sunday schools; there is a chaplain who visits the prisoners to distribute books and tracts, and converse on religious topics; there are lectures and readings and occasional musical concerts by the best talent; sometimes holidays are given; there are extra dinners on Thanksgiving Day, Christmas Day, and the Fourth of July, when the delicacies of the season stimulate the holiday and patriotic sentiments; and in most State prisons a man can earn a considerable abatement of his sentence by good behavior.

The reform in prison construction and management was very much needed, and I am not anxious now to express an opinion whether or

¹ Condensed from the North American Review. Since this article was written, several years ago, the Elmira Reformatory has passed through various stages of development and has increased greatly in size. These changes are described more in detail in the previous paper, but Mr. Warner's article is an interesting study of the institution and a skillful presentation of its essential principles and spirit.

not it has gone too far. But it must be noted that along with this movement has grown up a sickly sentimentality about criminals which has gone altogether too far, and which, under the guise of "humanity" and philanthropy, confounds all moral distinctions. The mawkish sympathy of good and soft-headed women with the most degraded and persistent criminals of the male sex is one of the signs of an unhealthy public sentiment. A self-respecting murderer is obliged to write on his cards "No flowers." I think it will not be denied that our civilization, which has considerably raised the average of human life, tends to foster and increase the number of weaklings, incompetents, and criminally inclined. Unsystematic charity increases pauperism, and unphilosophical leniency toward the criminal class tends to increase that class.

It seems to me that we have either gone too far or we have not gone far enough. If our treatment of the incompetent and vicious is to keep pace with our general civilization we must resort to more radical measures. The plan of systematized charity, which cultivates independence instead of dependence, and the increased attention given to very young children, who by their situation and inheritance are criminally inclined, are steps in the right direction. Probably it will be more and more evident that it is the best economy for the State to spend money liberally on those who are liable to become dependents and criminals. If the State were to show as much energy in this direction as it does in police supervision and the capture and conviction of criminals, it is certain that a marked improvement would be felt in society within a generation. But we are now considering the treatment of criminals, and I can best illustrate what I wish to bring into relief by an example.

My proposition is that there is very little difference between our worst State prisons and our best in the effect produced upon convicts as to reformation or a reduction of the criminal class.

Since we have abolished punishment and are not ready to take any radical steps for reformation, it would be better to make the prison life so hard that detention would be a punishment in itself. The men should earn their living at hard labor, and be made to feel the weight of their transgressions. If professional and confirmed criminals, men who declare by undergoing second conviction for a felony that they have made preying upon society their business, who belong in short to a pretty well defined criminal class, can not be removed altogether from troubling this world, they ought to be locked up permanently and made to earn their living. They are of no sort of use in the world and are an expense and a danger to society. The rose-water treatment has no effect on this class, as a rule. Holidays, occasional fine dinners, concerts, lectures, flowers—we are going ridiculously far in this direction unless we add a radical something to this sort of treatment that will touch the life of the man and tend to change his nature and inclination. Our great prisons now are little better than seminaries and nurseries of crime. We are contributing to the breeding of a criminal

class, which propagates itself under favoring conditions, aided by a misdirected philanthropy. Unless we adopt a plan radically different from the present one, it would be better to abandon all this coddling of the determined criminal class, leave it to its fate, and direct the energies of the State to cutting off the supply by looking after the children who from infancy are on the predetermined road to join it.

Can anything better be done with men convicted of State prison offenses? It is with the hope of throwing some light on this question that I wish to give a brief and informal account of what is going on in the reformatory at Elmira, N. Y., under the superintendency of Mr. Z. R. Brockway.

The Elmira Reformatory, which cost more than it should (being built in New York), is a somewhat pretentious building, situated on a commanding eminence. It need not be particularly described, further than to say that in point of arrangement, light, air, roominess, ventilation, etc., it conforms to modern notions. It is as little gloomy and depressing as a place of confinement can be. What distinguishes it, however, it is provided with school rooms sufficient for the accommodation of all its inmates. And it is, as we shall see, a great educational establishment, the entrance to which is through the door of crime. The keynote of it is compulsory education. The qualifications for admission to it are, that the man convicted of a State-prison offense shall be between the ages of sixteen and thirty years, and that he has not been in State prison before. In his discretion any judge in the State may send a convict of this description to the reformatory. He is sentenced to the reformatory subject to the rules of that institution, not for a definite term; but he can not be detained there longer than the maximum for which he might have been sentenced under the law. For instance, if for burglary he might have been sentenced for ten years; he may be held at Elmira for ten years; but he may, in the discretion of the board of managers, who are appointed by the governor, be discharged in one year. The institution is practically managed by the superintendent. The discharges are made only by the board, who consider the man's record in the prison, and the probabilities, from all the evidence concerning him, that he will behave if set at liberty. He must have a perfect record before the board consider his case; and, besides this, the board must have confidence in his will and ability to live up to it.

Let us follow a man in this institutional life. Upon his reception he is subjected to a bath, clad in the plain suit that is worn by the intermediate grade, and locked up in a cell for a day or two, to give him time for reflection. He is then taken before the superintendent, who makes a thorough examination of him, a complete diagnosis of his physical, mental, and moral condition. His antecedents are ascertained, the occupation and habits of his parents (and grandparents, if possible), whether they were temperate or intemperate, lived cleanly and

honestly, or otherwise; what the man's home life was, if he had any, and at how early years he was turned loose upon the world; what have been his habits and associations up to the commission of the crime for which he was sentenced. An examination is then made of his physical condition, his inheritances, and not simply the actual state of his health, but his physical texture, whether fine or coarse grained. His intellectual capacity is next ascertained, and then his acquirements. Is he bright or dull, can he read and write, and how far has his education gone? Inquiry is then made into his moral condition; has he any sensibility, any shame, any susceptibility of praise or blame? What sort of a moral fiber has he? After a keen investigation of an hour or so, Mr. Brockway thoroughly knows his man; long practice and a very deep knowledge of human nature, enable him to diagnose the case pretty accurately. The subject finds himself in the presence of a man who probably wins his confidence, and whom, he very soon discovers, it is of no use to try and deceive. The result of this searching examination is entered at length on the page of a big ledger; the superintendent commonly outlines at the bottom the proposed treatment; and the newcomer is instructed in the rules of the institution, and what is expected of him, and what he must do to "get out."

He goes first into the second, or intermediate grade, and it depends upon himself whether he goes up to the first, or down to the third. He is made to understand the minute rules of behavior that he must attend to; he is assigned to the class in school fitted to his capacity and acquirements, and he is put into the workshop that is best adapted to his health and training. He is informed of the maximum time for which he can be detained, and that he can, by perfect conduct in these lines of effort, win his release in one year. To effect this he must gain a certain number of credit marks, and these credit marks are constantly liable to be canceled by negligence or ill behavior. He is tested at every step by the mark system. In the shop he is marked according to his diligence, his sharp attention to his work, his voluntariness at his labor. If he is listless, slights his work, and does not give his mind and energy to it, he not only misses credit marks, but will get discredit marks. There is no escape for him; he must work with a will. In behavior he must be perfect in obedience to the many and minute rules laid down, of which he is furnished with a printed copy. In school he is required to study according to his capacity, and the marking is much the same as in a well-regulated high school. But while he must be perfect in work and behavior, he will pass in school if he gains 75 per cent in the scale of 100. As soon as he enters upon this course of discipline and study, an account is opened with him in another big ledger.

The process of his release is this: If he is reported perfect in three things—labor, school, and conduct—for each of which three marks are

required each month, making nine in all, for six months, he is advanced to the first grade. If he remains perfect in the first grade for six months more, gaining nine good marks each month, he may then, by the discretion of the managers, be sent on parole. But he is not released on parole until a place is found for him, in which he can get employment and earn his living. If his friends can not get a place for him, or he will not be received back into his former employment, if he had any, the institution places him by means of correspondence. On parole, he must report his conduct and condition every month to the superintendent, and this report must be indorsed by some one of known character. If the paroled continues to behave himself for six months, he receives his final discharge; if he backslides, he is arrested, brought back, and must begin all over again.

The grades are three and they mark considerable in privileges. The first grade men wear a light blue uniform with a military cap. They occupy better cells than the others. They dine together in the large mess room, at small tables accommodating eight to twelve, and are permitted to talk freely and to spend the noon hour in social intercourse. Up till recently a summary of the news of the day, culled from the newspapers, was read to them once a week at table, but there is a substitute for that now. They have somewhat better food than the others. When they march from cells to workshops, to dining room, etc., they march in column of fours and they are officered by captains and sergeants, chosen by the superintendent from among their own number. Monitors in the corridors, clerks, and officers for the next grade are chosen from them. Besides their privileges, a measure of confidence is reposed in them, but they are also under strict discipline, and are liable to be degraded for neglect of duty or failure to report delinquent inmates in their capacities as monitors and officers. The second or intermediate grade wear citizens' dress, with Scotch caps. They march in column of two, officered by members of the first grade. They take their meals in their cells, and have generally less privileges than the first grade. The third or convict grade wear suits of red clothes, eat in their cells, and march in the degraded prison lock step, are officered by officers of the institution, and in various ways are made to feel the dishonor of their position and greater rigors of prison life. It should be noted that the three grades mingle in the workshops and in the schools, for they take places in them on other standards than that of conduct.

It will be seen from this slight sketch that it is not an easy matter to get out of the Elmira Reformatory before the expiration of the maximum sentence. Three things are required—perfect conduct, perfect diligence, and perfect willingness in labor—with as good progress in school as the capacity of the man admits. A man may do well in two, but be sent to the third grade for delinquency in the third. He may work well, and he may study well, but if he does not behave, down he goes.

He may work and behave well, but if he does not study, he is sent down. Here is a three-ply strand that must be woven daily, and the task is not easy. There can be no shamming, no successful hypocrisy; the tests are too searching. Almost every newcomer tries some game; he affects religion or this or that hypocrisy, but he is dealing with a new set of circumstances, and with men a good deal sharper than he is; and after trying his wits in vain he generally gives up and "comes down to business." Most of them run the gamut up and down the grades before they strike a pace of performance that will carry them to parole. An examination of the conduct ledger shows a curious inequality of behavior; the lines of performance are like the isothermal lines across our continent. When a man drops into the third from the first or second grade, it is not easy to regain his standing. But from the beginning every man going into the intermediate grade is given a fair chance to rise or fall. The most striking thing about the institution is the cultivation of individual responsibility; the man's progress depends upon himself.

The education is strictly compulsory. Such a motive was never before given men to study, for release depends upon diligence and understanding of the matter in hand. There are seven classes—the two higher classes, A and B, and a supplementary class, first and second in intermediate classes, the first and second primary classes. The teaching is largely oral and by lectures, and in the higher classes printed outlines of the lectures, with questions, are distributed to the pupils. The students take notes. The examinations are held monthly, and in the higher classes by written examination papers, in which a knowledge of the subject must be shown, by illustrations or otherwise, and a mere parroting or memorizing of phrases and words will not pass.

Eight hours a day of labor is required; this is the State limit. There is time for study after labor hours, in the evening, also. In each cell is a gaslight, and books are furnished when needed. The schools are in the evening. They are taught, for the most part, by able men outside the institution, who have some compensation, but some classes are conducted by inmates. The education runs from the rudiments, reading, writing, and arithmetic, up through grammar, higher mathematics, and geography, to history, especially American and English history, politics, English literature, such knowledge of law and the government of society as is necessary to make one an intelligent citizen, and political economy. None of these things are superficially taught; they are drilled in and in. The course in English literature, for example, is as thorough as in any school, and men are studying their Shakespeare and Chaucer, and other masters, with keen diligence and relish. But the end of education kept in view, in history, elementary law, and morals, political economy, etc., is the fitting of the student to play his part well as a citizen, and to be an orderly member

of society. It is also intended to broaden his view of life and his interest in it as an orderly process, and to discipline his perverted faculties. The first attempt is to awaken the convict's mind, to arouse an interest in himself and his welfare. This is often very difficult. These are not moral minds or dispositions. By inheritance or bad practices their natures are warped. Most of them have not the knowledge or the will to do right. It is a mistake to suppose that criminals are naturally bright. The moral failure has affected the intellect in most cases. If they are bright, it is usually in a narrow line—the development of a ferret-like cunning and smartness. They lack intellectual breadth as they do moral stability. They are uncertain in all their operations; can not long hold steadily one course; are continually falling and going to pieces. They are, in short, in an abnormal condition, and any real growth or reformation must be radical, built up from the foundations. The skill of the superintendent is shown in awakening the interest, in arousing hope and ambition, and creating a moral steadiness of will.

The great incentive, of course, at first, is the man's desire to regain his liberty. But there are reserve forces. If a man is incorrigible and a hopeless case, the superintendent may transfer him to a State prison. He may degrade him in rank, cut off his privileges, put him in solitary confinement, or punish him physically by a little judicious "strapping" or "spanking." Punishment is never inflicted except by the superintendent himself, never in any passion, and it almost always gives the man the little start he needed in good conduct. It is so managed that the man owns this himself, is not brutalized or humiliated by it, and rarely (never, so far as I have heard) cherishes any resentment on account of it. It seems to be the little reserve of physical force behind the moral that is needed in all good government. I should say that it is a good deal more effectual than the traditional flogging by which the English schoolboys had the Latin and Greek grammars driven into them.

This great industrial and educational establishment contains now over 1,500 prisoners. On Sunday they all assemble in the chapel in the afternoon and evening for religious exercises; singing—a very good choir of a hundred voices, and some good soloists; generally a sermon in the afternoon, and either a sermon or a lecture in the evening by volunteer clergymen, the best that can be induced to come. Sometimes there is a lecture, or extemporaneous talk, or reading, in place of the sermon. For special occasions the choir practices some set piece. For Christmas one of the prisoners had composed a very pretty carol, which they were practicing. Sunday morning the casuistry or morality class meets in the chapel. This numbers about 200, and is selected from all grades, according to intelligence and attainments. It is for the discussion of questions relating to morals and the conduct of life. The men all take notes, for they must pass a written examination on what they hear. The conductor reads or lectures, and free but

orderly discussion takes place. The first Sunday the writer was present they were concluding the reading of Socrates. Each man had a printed syllabus of the morning's reading, with questions appended. The next Sunday would be a review preparatory to examination. Each man took notes as the reading went on. Questions were asked and opinions given, the interlocutor raising his hand and rising when recognized by the lecturer. Such absorbed attention I have seldom seen in a class room. They are obliged to be alert. These men are not merely going through a process of training to please their relatives or to gratify their own tastes; they are putting all their energies into the business in hand to win marks to get out of prison. And this is true in all the classes. Never was compulsory education so completely applied. But it must be confessed in this case that the class had got thoroughly interested in the subject. The expression of their faces was that of aroused intelligence. Nothing seemed lost on the majority of them; the finest point made by Socrates, his searching moral distinctions, his humor, you could see were taken instantly, by the expression of their faces. The discussions and essays in this class show a most remarkable grasp, subtlety, penetration, and power of drawing fine moral distinctions; and the vigor and the fitness of the language in which they are couched are not the least notable part of the display. The previous Sunday there had been a lively discussion of the question, "Is honesty the best policy?" The study of the morality of Socrates led the class naturally, and by their request, to a study of the morality of Jesus and the New Testament, though not at all as a religious inquiry; and thus a result was reached in moral investigation that a clergyman, beginning at the other end, probably never could have brought this mixed and abnormal class to attempt willingly. For these men are not only criminals, warped and prejudiced against any religious training, but they are of all sects by inheritance, perhaps half the number Catholics, and fifty of them Hebrews. Among men that have abandoned all practice of religion it would be perfectly easy to stir up a bitter theological feeling. The lecture on the second Sunday that I was present was on the development of religions, preparatory to such a study of the New Testament morality as had been given to that of Socrates. * * *

This reformatory is a busy place; it has the aspect, as I said, of a great industrial and educational establishment. What first impresses one accustomed to visit prisons is the aroused physical life. The old convict heaviness and hopeless inertness of flesh are gone—gone with the depressing, hangdog look. The men work, move about, run up and down stairs with alertness and vigor and apparent enjoyment of motion. We see here the well known type of head, but the expression of the face is altogether changed; stupidity and hopelessness have given place to intelligence and ambition. The change is astonishing. New life has been awakened through the mass and the mental and

physical activity, first aroused by the desire to get out, has now in a large number of the prisoners passed into a desire to know something and to be somebody.

I was at first surprised to learn that men do not like to be sent to this institution; many of them, perhaps most of them, would prefer to go to a regular State prison. Their whole nature revolts against the idea of discipline, of study, of reform. They like crime and an irregular life, and they hate any influences to turn them away from it. They hate the notion of restraining as some boys out of prison hate the moral restraint and religious instruction. They resent the pressure as long as they can, and some of them never do surrender, and go out unregenerate. It is admitted that a certain percentage of criminals here are incorrigible. It is believed, however, that this percentage could be greatly reduced by universal indeterminate sentences, giving a longer time to work on obdurate natures.

The morale in the reformatory has been gradually changing for the better. At first the heroes (as in other prisons) were the biggest, sharpest, most successful rogues. The standard has changed. These men are no longer looked up to. There is a considerable esprit de corps of good conduct and progress, and goodness and intellect are respected. There is a strong moral influence among the inmates themselves in favor of good order and good conduct. I believe that the superintendent is almost universally regarded with affection. When I went the rounds with him, all the faces lighted up at his approach; he knew every one; he spoke to this and that one some word of encouragement or appreciation or warning, all with the utmost good nature and kindness; and they preferred any request they had to make frankly, but most respectfully. They are encouraged in this frankness of communication. Every day, after work hours, the superintendent receives privately anyone that wants to see him to complain of treatment, to ask for advice, to state his difficulties with his studies or his work, or to get sympathy; and he summons the delinquents that need warning and correction. This openness of communication, with the tact that makes use of it, is one secret of Mr. Brockway's power and success. He plays on these hundreds of natures individually, as a pianist manipulates his keys. They have absolute confidence in his justice. He never remembers offenses if they are repented and abandoned. There are no yesterdays in the institution; only to-days and to-morrows. In every case the man is judged and classed, not by what he has done, but by what he does and will do. There is no element of revenge in the treatment.

I can not here give all the details of this treatment; but as an illustration of the minuteness of it I may say that there are three sorts of adverse reports—a neglect report, on pink paper; a dereliction report, on yellow paper, and an offense report, on brown paper. These are offsets to the conduct report, in which the credits are earned. The neglect report notices the least things in orderly conduct, arms not folded, bed not properly made, coat not buttoned, necktie not properly

tied, shoes not polished, not at door of cell for count, and so on for some thirty particulars—like the discipline at West Point. The man may have in a month five neglects and be excused; six cancel a credit mark. Of the dereliction reports only two are allowed a month; three cancel a credit. On the brown blanks offenses of a more serious nature are reported; one report may cancel a credit, or degrade in rank, or call for other punishment. Each day the men receive copies of the reports filed against them. The pink notices are signals of “danger.” Thus daily the men know which way they are going.

A noticeable thing in the treatment here, which distinguishes it from most institutional life I have seen, is the cultivation of the habit of self-reliance. The responsibility is upon each man to “work out his own salvation,” as we say. The vice of ordinary institutional life is the destruction of self-help and self-care. And even here the man’s wants are provided for, whatever he wants. He is under no anxiety about food and clothes, as free men are. It is proposed to perfect the system here by making a man dependent for what he gets upon what he earns. That is, he will receive such food in the institution as he can pay for with his earnings. I merely state the principle without going into details. The object is to teach the man how to spend his money as well as how to earn it, so that he shall learn thrift and how to care for himself.

I was struck with the excellent—it is not too much to say courteous—behavior of the men in the first grade, seated in small groups at dinner. The tables had white tablecloths. One of the number carved; they helped one another politely; they talked quietly and freely. Good manners and courtesy prevailed. It was roast-beef day and I remarked that the fare was good. “Yes,” said Mr. Brockway, “I am inclined to improve in the dietary—plenty that is good, and variety. I find that I get better results in study, work, and behavior, if I feed better.” We certainly expect better results in stock raising and training if we feed well. I give the diet one day in the first grade. Breakfast: Corned-beef hash, white bread, coffee, and sugar. Dinner: Soup, roast beef and gravy, string beans, white bread, coffee, and sugar. Supper: Dried apples, white bread and butter, sirup, tea, and sugar.

I noticed many interesting things in the reformatory, but I have space only to set down one or two psychological observations. There seems to prevail a kind of intellectual honesty, especially in the practical morality class. This is due partly to the fact that these men have no past to bind them—have no fear of expressing their opinions, as men and women in society are apt to have, and partly to the fact that they are encouraged to a frank expression. They are in no danger of losing caste by any opinion, and they seem to enjoy saying absolutely what they think on all moral questions that arise. I am quite sure that for various reasons, some creditable and some otherwise, the tendency here is to intellectual honesty. I asked the superintendent what

relation this had to moral honesty; whether men cultivating this attitude as to abstract questions would be less likely to lie, and he promised to institute some inquiries and tests on this point. * * *

The large clerical labor is done by the inmates. They set the type and run the hand press that is kept busy printing the daily reports, the syllabuses for school, etc. The institution publishes also a weekly newspaper, distributed Sunday morning and called *The Summary*. A prisoner makes for it a complete condensed summary of the news of the week, excluding all scandal and reports of crimes. It contains, besides local prison news, often letters or extracts of letters of men released and paroled (graduates), perhaps a little fun, and brief editorials by the superintendent, who is the editor. It is about the only thoroughly clean family newspaper I know of; certainly there are few journals published outside that are fit to circulate inside this prison. It needs a good world to stand some of our newspapers; a prison can not.

In this simple presentation of what I saw at Elmira lies the answer to the question, whether we can probably better our present treatment of criminals. * * * I should say, inferentially, that no matter what a man's motives may be in submitting to the hard threefold discipline of this institution, with whatever hypocrisy he might behave well, study hard, and work industriously, some years of such discipline must affect it radically, in many cases working a regeneration of his whole moral nature and purpose in life. I do not see how he can be in the habit of well doing in these three ways for a long time and not be radically changed. In fact, the reports show that 80 per cent of the men going out from here are reformed. That is to say, they do not again fall under the law; it is not supposed that they become saints, but they are fairly law abiding, do not commit felonies; as somebody wittily said, the object of the institution is to teach men to steal legally. The men are closely watched for six months after they go out, and a general run is kept for many months afterwards. Some, of course, are discharged because they have served the maximum time, not because they are fit to go. In many cases, where a man would probably prefer an honest life, he is so morally debilitated by inheritance that it takes a long time to build up in him the moral stamina to carry him along safely in life, and the time of detention is often too short. This result—80 per cent put in a better way—is astonishing, when we remember that of those ordinarily discharged from State prisons, 60 per cent have to be caught and imprisoned again. Certainly this is not a paying thing for the State.

THE INDETERMINATE SENTENCE.

By CHARLTON T. LEWIS.

If social science were not blinded by tradition nor hampered by custom, it would quickly establish the one right method of dealing with crime. Since every man's liberty is a sacred right, as far as it is consistent with the rights of his fellows, it would direct that no man be imprisoned unless it is clear that his freedom is dangerous to others, and that, when once imprisoned, no man be freed until the danger has ceased. This is the principle of what is inexactly called the indeterminate sentence. When society detects an enemy, let it restrain him until he is reconciled to it. The best explanations and criticisms of this principle, in its relations to psychology, to social philosophy, and to the facts of experience, are found in the proceedings of the National Prison Association of the United States, especially in certain memorable addresses by Messrs. Z. R. Brockway and Eugene Smith of New York, by Mr. Charles Dudley Warner of Connecticut, and by Dr. Wines of Illinois. It is impossible within my limits to treat the several branches of the subject in detail, and I shall aim simply to sum up the results established by the discussion, and to give some indication of the possible future development of the principle.

The traditional custom is to define by law the several acts constituting crimes and to attach to each a penalty with some reference to the supposed guilt which it reveals. The crude and terrible penal codes of our ancestors prescribed death for every felonious act; but of minor offenders some forfeited their land or goods, others were banished, or suffered some bodily mutilation, or were sent to the pillory or the whipping post. Prisons were at first regarded almost exclusively as places for securely detaining the accused until trial, and the convict until punishment. But as men grew more humane, or at least more refined, the infliction of death and of all forms of torture became distasteful and rare; and imprisonment for specified terms was gradually substituted. This change, the result of sentiment and convenience, and not at all of any reasoned conviction that confinement serves a better purpose, is now almost complete and universal. Our penal codes assign imprisonment as a penalty for nearly every act they forbid, but by specifying a maximum and a minimum term, leave it to the trial judge to fix the duration of imprisonment within these limits according to his view of the criminal's deserts.

This system has often been exposed as absurd in principle and as grossly wrong and injurious in practice. It is founded on the false

notion that the State can and ought to apportion retribution for offenses. It requires of every criminal judge an utter impossibility, and results in gross and startling inequalities whenever an attempt is made to apply it. Nor does it effectively promote the sole end of criminal law, the protection of society. There are but two conceivable ways of protecting the community against its enemy, the criminal; to disarm him or to reconcile him. But the time sentence does neither. It restrains him until the term ends, as if one should cage a man-eating tiger for a month or a year, and then turn him loose. There is nothing in such a sentence which tends to reconcile him to his fellows. It commonly aims at nothing more than to restrain him and hold him safely for the term, and in most cases he is discharged more the foe of mankind than before.

This terrible indictment of the penal code in its traditional form has never been answered. It admits of no answer, and while many jurists and legislators still cling to the notion of graduated penalties, and strive in vain to develop it in harmonious systems of laws, while it defaces our statute books, and its administration disgraces our courts, misnamed halls of justice, no intelligent man ventures to defend it as a principle. Its frightful inequalities, its tangled absurdities, its misleading and pernicious influence on the popular mind, would but be made more conspicuous and repulsive by any candid apologist. The method of apportioning penalties according to the degrees of guilt implied by defined offenses is as completely discredited, and is as incapable of a part in any reasoned system of social organization, as is the practice of astrology or the police against witchcraft. It holds its place merely by the tenacity of custom and the inertia of opinion controlled by tradition. The origin of it was the native impulse to return evil for evil. Every brute and every man whose nature is brutal seeks instinctively to hurt those who hurt him, and the notion of retributive justice in all its forms is but the development of this crude instinct. The satisfaction of this sentiment by inflicting punishments proportioned to our estimate of guilt is no more rational than the satisfaction of the rattlesnake in biting the stick which strikes him. The thirst of the human animal for vengeance, when it actuates a whole community, and is expressed in law and executed by judicial tribunals, is disguised, indeed; its coarseness is mitigated, and the disturbance of civil order by private feuds is avoided. But any penal code which attempts to inflict penalties commensurate with offenses has this passion for its inspiration and its source; and is but organized lynch law. The character of the act is not changed by the numbers who commit it, and the community which deliberately injures a man because he has offended is at least as brutal and irrational as the man or the beast who impulsively avenges a wrong. The entire abandonment of retribution as a motive is the first condition of a civilized criminal jurisprudence.

It follows, if prisons are to be used at all, that it must be because they are necessary to protect society; that is, either to disarm its enemy, the

criminal, or to reconcile him. If he can not with safety to others enjoy his freedom, he must be confined and prevented from practicing crime. There is no other justification for confining him. This principle determines at once the nature and duration of the confinement. The restraint must be just what is necessary to control him; every feature of it must be directed so as to prepare him, if possible, for freedom, and it must last just as long as he is unfit to be free. Let society hold its enemy in duress until he ceases to be its enemy. This rule protects this community and furnishes to the criminal the motive for adjusting himself to its order. The prisoner becomes the arbiter of his own fate. He carries the key of his prison in his own pocket. There is ever before him the definite alternative, to frame his life and character according to law and duty and go forth a free man among his fellows, or to cherish his rebellious temper and vile instincts and remain in durance. Hour by hour, night and day, the sense that he must work out his own destiny grows upon him. The strongest motive known to human nature gradually comes to inspire his daily thoughts and efforts. If he has in him a capacity, however dulled or obscured, for manly exertion, foresight, ambition, it is aroused and developed. An enslaved people rising against oppressors, and fighting to the death for freedom, is esteemed a noble theme for eloquence and song; and not less inspiring to every lover of mankind is a band of prisoned convicts, whose hearts and lives have once been wasted and trodden by evil passions and brutal impulses, now struggling to put down these tyrants and win back for themselves the free light and air of manhood and of heaven. When liberty is thus achieved, it will be valued indeed and will not lightly be lost again.

But a new and noble motive does not suddenly become dominant in any character, least of all when it must reverse the habit of a life. The convict is commonly defective in mind, often in body; and his particular defects must be studied by those who would supply or remove them. That this may often be done, to an extent that must amaze the most sanguine believer in humanity, has been proved in a thousand instances, but it is a work calling for trained intelligence, unwearied effort, and a patience almost divine. The principle of the reformatory sentence, in its completeness, implies the conversion of the prison into an institution combining the means and aims of hospital, school, and church, for the healing and culture of body, mind, and will. Unattainable as is this ideal, and impracticable as the suggestion of it may seem, it is to be held in view as the standard by which our partial and tentative reforms must be measured; and just in the degree that it is approached will the possible beneficence of the principle be realized.

One defect which is so common as to be almost characteristic of the convict, is the want of skill and training in any honest pursuit. If he is sent out into the world in this condition, he is under fearful pressure to return to crime, the only trade he knows; and it is too

much to hope that any prison-born purpose or conviction will long sustain him against it. Yet the State is daily turning loose men whom it has held as wards for years, without giving a thought to their industrial education. Whatever employment it gives the prisoners is contrived and carried on solely for its immediate pecuniary results, or else with the political end of satisfying the demagogues who misrepresent and disgrace "organized labor." Not a tithe of the convicts discharged from such imprisonment are able to support themselves by work. But under the reformatory sentence the prisoner is trained in the employment for which he is found most competent, and is released on trial, only when a self-supporting engagement is secured for him.

It is obvious that such a system as this revolutionizes the relations of the prisoner to all the agents of society who deal with him. Their aim is no longer to hold him securely in subjection, as the mere slave of the State, during the allotted term, then to be discharged of all responsibility for him, but they have before them the definite purpose to prepare him for freedom. The spirit of the institution undergoes a wonderful change when the reformatory idea supplants that of punishment. The prison of the old style faces the past, and forever looks backward to the crimes committed, of which the sentences awarded are a perpetual reminder. The true reformatory has turned to the future, and hears "a trumpet in the distance pealing news of better." On the one is inscribed, "Leave hope behind, all ye that enter here!" On the other, "Never despair! Seek and ye shall find. Knock and it shall be opened unto you."

It is doubtless true, as far as we can judge, that there are some natures too degraded, usually too deformed, to be controlled by such motives and influences; criminals by constitution or inveterate habit, who can never be fitted for free social life. If so, no good can come of turning them loose. The only proper disposition of such men is to keep them permanently under restraint. The habitual criminal demands far more careful study than has been given him, and the responsibility of society for his existence, and the pernicious methods commonly practiced in dealing with him, deserve a full examination. It is the damning reproach of our traditional penal system that it produces and perpetuates in the midst of our civilization a body of professional criminals, a large class of hopeless degenerates. But for the moment I can only refer to them in connection with the principle of the reformatory sentence. Under the old penal codes, such human brutes and vermin are confined for fixed terms, long or short, according to the offenses which happen to be legally traced to them, and are then set free to plague the community until detected in other crimes. Nothing but universal custom could blind us to the folly of such a practice. Let them be confined until fit for liberty. Not that any man must be declared irreclaimable. Set before everyone, however depraved, the

hope, if he can embrace it, of reforming his own character and life, and thus opening his prison doors, but let none free until he can be trusted with freedom.

The principle of the reformatory sentence, then, is fully established. If imprisonment for crime is to be practiced, it is demonstrable that the only rational and useful form for it is under sentences terminable always and only by the prisoner's own recovery from that in him which has made it necessary. Why is this form of imprisonment not universal? Here we are confronted by all the forces of a narrow and timid conservatism. The argument for the complete reform of criminal legislation on this basis is not refuted. But against every practical step which is taken or proposed in this direction objections are heard. Perverse custom and traditional prejudice voice themselves in criticisms of detail from minds incapable of grasping the system as a whole. It is necessary to meet such objections point by point, and by persistent reiteration of truths already familiar to eradicate false habits of thought and elevate the public mind to a scientific and consistent view of the duty of society to itself. I shall, therefore, state and examine very briefly, but as strongly and clearly as I can, each of the reasons which have been avowed for resisting, denouncing or reversing the measures of reform in our criminal jurisprudence inspired by the principle of reformatory imprisonment.

A frequent protest is against the favor which this system shows to criminals. The Elmira Reformatory, itself the creation of Mr. Brockway and the scene of his imperishable achievement, at once in rescuing regiments of men from social and moral ruin, and in awakening to new life the intellect and the conscience of the world in its dealings with its neediest wards, is among existing institutions the nearest approach to a prison upon the reformatory plan. The legislation which established and maintains it, in the light of a true prison science, is but a halting and half-hearted compromise with antiquated and barbarous traditions; but in contrast with the older and usual methods it represents the foremost practical wisdom of the age. It studies the physical, intellectual, and moral defects which mark its inmates and which have brought them there, and seeks to remove these by enforcing cleanliness, education and habits of truth, self-control, and industry. It teaches useful occupations, suggests motives to exertion, awakens the mind to a sense of social relations and duties, and holds ever before the prisoner the sweet prospect of self-earned freedom and self-asserted manhood. "What?" cries the objector in horror; "shall the criminal be rewarded for his cruelty, his dishonesty, his lust, by opportunities and resources such as the free and deserving laborer can not command? Are not the bath, the school, the workshop given to these outcasts a premium on crime?" The same outcry was made centuries ago, when the greatest of all reformers became known as the friend of sinners, and his reply is ours: "They that be whole need not a physician, but they that are

sick." Though it be true that the fatted calf is killed for the prodigal, yet the complaint and sneer of the elder brother meet a divine reproof.

But the State is not instituted for the exercise of Christian philanthropy. Justice and rational expediency must guide it. By what right can it tax the poor to give to criminals privileges which the poor can not command? If the State is bound to secure to every man what he deserves, this objection is conclusive. In that case there are countless guilty wretches both in prisons and out of them who may with strong probability be held to merit nothing better than the Newgate and Bridewell of John Howard a century ago, or the worst county jail of to-day, with their horrible filth and exposure to physical and moral contagion. But the most consistent champion of distributive justice toward crime will hardly plead for this form of it. Even he will admit that the maintenance of such abodes for outcasts is a flagrant breach of the duty of society to itself; that the community has no right to poison and corrupt the bodies and souls of those of whom it takes charge, whatever their deserts may be. This admission concedes, in principle, all that we ask. The State must not set up a blasphemous parody of the divine judgment seat, and assume to doom each man as he deserves. It is the agent of society to preserve civil order and protect persons and property; and to do this it must restrain the law-breaker or reform him. The question for the statesman is, how can such restraint or reformation be secured most efficiently and most cheaply? Reformation, where possible, is vastly more profitable than restraint. To ascertain when it is possible, and in such cases to effect it, there is imperative need of all the apparatus of opportunity and privilege which has been described, though combined with the most rigid discipline.

In fact, this discipline makes the reformatory terrible to the convict, and the requirements of personal decency, persistent labor and regular study, so far from being enjoyed as luxuries, are perpetual afflictions to him, until his lawless habits and passions are overcome. It is notorious that criminals as a class dread the reformatory more than the worst of the antiquated prisons. Were their inclinations and comfort consulted, none of the costly privileges which are represented as boons to them would be provided. But the gate of restoration for the convict is in every sense strait, and his way is narrow. The keenest suffering that can be inflicted on the criminal is to break up his crust of stolid indifference and open his soul to its degradation. The agony of humiliation felt by the man struggling to escape from his dreadful past and his baser self is a penalty more bitter than all physical privations or blows. Ask the objector whether any degree of poverty or neglect would tempt him to exchange his life for that of the convict whom he regards as petted and fondled in luxury, and if he answers yes, tell him that the felon's cell is the place for him.

But of late years another style of protest is more common. Much

is heard of the intolerable cruelty of our system. Even among those who suppose themselves to be enlightened advocates of reformatory methods there are many who refuse to accept the principle as universal. No legislature has ever yet enacted the indeterminate sentence without qualification for all cases. Let a man be imprisoned for a minor offense, for which the old codes prescribed a term of six months or a year, might he not fail to earn his release and so remain permanently in durance? Would not the possibility arise of such frightful injustice as confinement for life, where the laws and the common judgment of mankind have awarded but a short imprisonment? This apprehension has led, in almost every statute authorizing a reformatory sentence, to a provision for the maximum term, fixed by the old retributory code, at the end of which the prisoner must be freed, however certain it be that he will plunge at once into crime. The charge of cruelty justly lies not against the sentence which would restrain him, but against that which would dismiss him to his ruin and to the damage of mankind. The criticism is founded on the false notion that his confinement is a punishment for his offense. Unless the conception of penalty and the thought of any relation or proportion between it and the crime is utterly abandoned, no right thinking on the subject is possible. As long as a man can not be at large with safety to himself and others, he must be restrained. This is the dictate of mercy itself, and the particular act which has first disclosed to the community his character and its danger has no bearing whatever upon the question. It is the interests of society and of the convict for the future and not their memories of the past which are to be conserved.

The stronghold of the opposition to rational imprisonment, however, is found in a third question. How can the indeterminate sentence be made determinate? Who can administer it aright? Where is the wisdom, the knowledge of hearts, the power to read character, the insight into motive, sincerity, strength of will, the eye to pierce all disguises, to detect hypocrisy, to recognize manliness, to distinguish conscience and honest purpose from pretense and cunning? Who is equal to these things, and what mere man will dare to assume the dread responsibility and upon his own judgment of his fellow's nature decide his doom? I confess that the decision when to terminate the indeterminate sentence in each individual case is one of the most difficult which can be imposed on the human mind. To make it always without error is not in the power of any man or body of men. The reformatory method with criminals will never be administered without errors, and such errors must work hardships. The felon of strong mind and deep cunning may impose on experienced keepers; the defective man of unbridled passions may impress them deeply with his moral worth during a crisis of repentance; while the really hopeful aspirant for manhood may stumble and fall countless times in his efforts; and thus the less worthy may often obtain the earliest release. The force

of the objection must be admitted without reserve. It is a fearful necessity that is thrown upon the State to exercise such a prerogative through fallible agents.

But it can not be too emphatically asserted that the objection is not to the indeterminate sentence as a method, but to every method of restraining criminals. If imprisonment must be practiced, somebody must be vested with the power to decide who shall be imprisoned and how long. Assuming the necessity of the restraint, human minds capable of error must assign and administer it. Observe, then, that the objection in question applies with a thousand fold more force to the traditional system of retribution than to the scientific system of reformation. If students of humanity trained in the work of searching the character, stimulating the better motives, and watching for the growth of responsibility and conscience, who are in daily, hourly intercourse with their wards for the sole purpose of preparing them to be free, may still be deceived in them, what shall we say of the judge, who sees the prisoner for an hour or a day at his bar, and whose knowledge of him is carefully limited to the single act of which he is accused? The more familiar we are with the practical work of penal jurisprudence, the more irresistibly shall we conclude that, while the difficulty of fair and effective administration will always be felt under any system of law, that difficulty amounts to utter impossibility under the current system of retribution; and is indefinitely diminished under the reformatory plan. Thus the objection so often urged against the indeterminate sentence and its corollaries, becomes, when candidly examined, an unanswerable plea for its adoption.

But while this is true without reserve, while the amount of hardship, of needless suffering, of unequal and oppressive restraint, inflicted on convicts by the caprice, ignorance and error of judicial tribunals, would be vastly reduced by the immediate and universal adoption of the general reformatory sentence, it remains true that the machinery for its proper administration hardly exists, and that the men fit to be intrusted with it are extremely rare. This machinery and these men have yet to be produced. In the moral and in the intellectual world, as in the physical, it is the demand which brings the supply. When the war for the Union began there was not in the United States a general who had shown his ability to command a modern army. The nation experimented with those who promised well, trained the best of them to their utmost capacity, and eliminated the failures, until it had a noble and effective military hierarchy, unequaled in the world. Twenty-five years ago there was not on earth a man who could construct a marine engine, a telephone, a boot machine, or a rifle which would to-day be fit for use; now there are hundreds of thousands. Let the officers of state in charge of prisons cease to have it for their aim to keep the convicts in subjection and to terrorize them into a semblance of order during foredetermined periods; let them be selected for the one work of understanding these men and preparing them for freedom,

and then trained day by day in the varied and absorbing duties which the work implies; and they will become as superior to their predecessors in effective influence for good and in discernment of genuine results, as the code of Christian brotherhood is superior in moral dignity to the barbarous code of revenge.

An appeal is sometimes made to technical limitations of constitutional law, in order to show that the indefinite sentence is impossible under our form of government. Without reviewing the opinion once given by the supreme court of Michigan against the constitutionality of the method, or the more recent decisions of the courts in six or seven other States affirming its constitutionality, it is enough now to say that the doubts long entertained on this question by a part of the legal profession have given way to a substantially unanimous conviction that there is no validity in the objection. The overwhelming weight of judicial opinion holds that the legislature may assign to offenses precise and unvarying penalties or may leave to the courts full discretion to fix them, with or without specified limits, and with or without conditions; that the pardoning power, even if constitutionally vested in the chief executive alone, is in no respect qualified or impaired by authorizing other officers to ascertain when any conditions thus imposed are fulfilled; that in short such determinations and the consequent release of the convict are the execution of such a sentence and not an infringement of it. These principles are now so fully established that the rather technical quibbling which has occasionally been heard against them would require no mention but for the momentous fact, which must not be concealed or evaded, that the savage theory of retribution has for generations controlled and shaped, not only the thoughts of men in relation to crime, but our systems of penal law and in some degree our written constitutions themselves, and long before the reconstruction of criminal jurisprudence on true principles can be completed, the reform will come into severe conflict with the forces of time-honored prejudice and narrow conservatism entrenched in these strongholds. Let me frankly say, then, that while the timid beginnings of legislation in the direction of science and humanity which have been obtained in eight or ten States of the Union, providing for partial and imperfect experiments in reformatory imprisonment, have in no case gone further than our constitutions permit, or than the body of intelligent public opinion will sanction, yet these are but the beginnings of a revolution which is destined radically to change men's habits of thought concerning crime, and the attitude of society toward criminals, to rewrite from end to end every penal code in Christendom, and to modify and ennoble the fundamental law of every State.

The objections which have been discussed are of course presented by different minds in widely varied aspects and language, but I have tried to exhibit with perfect candor the full strength of each of them, and believe the answer given to each to be in principle conclusive. The result of the whole discussion is that prisons have no use in the social

economy, except for the single purpose of confining men unfit for freedom; that convicts can never be rightfully imprisoned except upon proof that it is unsafe for themselves and for society to leave them free, and when confined can never be rightfully released until they show themselves fit for membership in a free community. The laws of nature and of humanity in their universality are terrible to our weakness and narrowness. The most progressive spirit of reform hobbles lamely after their majestic sweep.

In the light of this clear and demonstrated principle all that prison science has accomplished in the last generation toward the construction of a rational jurisprudence of crime is indeed but little. Nor can it be more than a beginning, more than a timid, halting, and inconsistent compromise with the dreadful past of prison history, until public opinion rises to a broad appreciation of the problem, and, with the full courage of its convictions, demands their incorporation into the law of the land. We have beaten about and about the question, handling fragments of it with timid apprehension lest we are going too far in telling bits of the truth, and never yet daring to defy the savage spirit of retribution in every form and in every application. To illustrate this, let me remind you of the weak and inconsistent questioning heard to this day among avowed advocates of reform, whether the reformatory sentence is practicable for misdemeanants. What is the difficulty? Is it not simply in the doubt whether they have done anything which deserves a confinement long enough to change and establish character? But what is this but to fall back in our reasoning upon the discarded, absurd, and impossible standard of desert—that is, to abandon our principles entirely, and to reforge the fetters of our minds which we have broken? To the sound social thinker there are no degrees in crime, there are only grades of character. To classify men by the individual acts proved against them as misdemeanants and felons, and deal with them on radically different methods, is but to make of the State a great engine, first, for turning misdemeanants into felons, and then for struggling to undo its work. For every student of our penal administration knows well that the criminal class is, generation after generation, the continual product of our social system, and that the most potent agency in its production is our method of dealing with what are called petty offenses, with our apparatus of county jails, police courts, and short sentences. Unless this be swept away, we are making more mischief than our best reformatories can cure. We see that the reformatory sentence is the only hopeful treatment of the felon; but there is something nobler and more useful than the most perfect measures for the reformation of ten felons; it is the measure which shall prevent one man from becoming a felon.

This thought leads at once to the larger aspects of our subject. The fundamental principle on which the indefinite sentence rests—the corner stone of the fabric of rational jurisprudence—is that no man should be imprisoned if it is safe for himself and for society that he be free. Not merely is freedom a natural and universal

right, the privation of which requires an extreme justification, no less than necessity, but it is always true that imprisonment, next to death, is the last, unworthiest use for manhood. Prison life is unnatural, at its best. Man is a social creature. Confinement tends to lower his consciousness of dignity and responsibility, to weaken the motives which govern his relations to his race, to impair the foundations of character and unfit him for independent life. To consign a man to prison is commonly to enroll him in the criminal class. This tendency is enforced and made irresistible by the conditions, discipline, and associations of our common jails. When for these are substituted the best methods of reformatory training, experience shows that the evil influences of imprisonment may be largely mitigated, and that large numbers of inmates have a purgatory instead of hell. But as long as men are born for freedom and for social life the most perfect prison on earth will be but a pesthouse furnished with the best appliances to combat and cure in the individual the destructive plague which itself cherishes and perpetuates in the multitude.

With all the solemnity and emphasis of which I am capable, I utter the profound conviction, after twenty years of constant study of our prison population, that more than nine-tenths of them ought never to have been confined. They are there in reality because a careless, indifferent, impatient community has not known what else to do with them, and has found it convenient thus to put them out of its sight. For the moment they and we are safe, and we can forget them in our buying and selling, in our golf and tennis. But each devil thus cast out soon comes back to us, with seven other devils worse than himself, and a recruit is made for the army of enemies of mankind. The highest reform of the criminal law is in finding other methods of dealing with offenders. In all but extreme cases of depravity, what is needed with the youth beginning a lawless career is that the social motives in him be awakened and strengthened, that the habit of foresight, the sense of responsibility, the regard for the esteem of his fellows, the sympathy with mankind, be aroused to constant action. It is in the social life of the community that this work can properly be done. To learn to swim without touching the water is easy and natural, compared with learning to live as a member of a free community while immured in prison walls.

Partial and incipient expressions of this principle are the custom of suspending sentence, now authorized by many States, the probation law of Massachusetts, and above all the deep stirrings of mind and conscience among students of criminal science everywhere, all looking to the limiting of the practice of imprisonment within bounds far narrower than any of us have as yet dared to define. As an embryo civilization grows toward its birth, the time will surely come when the moral mutilations of fixed terms of imprisonment will seem as barbarous and antiquated as the ear lopping, nose slitting, and hand amputation of a century ago. The nature which shows an inclination to lawlessness will be studied, and thoughtfully, kindly, patiently brought under social

and moral influences such as a true human brotherhood can exert; only the obstinately rebellious or dangerous characters will be confined, and then molded, as far as possible, into harmony with society; while the irreclaimable will be permanently secluded from all opportunity to work mischief to others or to reproduce their kind. The extinction of the criminal class and the ultimate abolition of prisons are the ideals to be kept in view; just as the elimination of disease must be the perpetual aim of medical science.

I am painfully conscious that in this hasty outline of a great social truth which is but beginning a revolution in the dark places of earth, so long full of the habitations of cruelty, I have failed even to suggest its vast scope, the infinite detail of the prospect it opens, and the multiplied beneficence of its promises for humanity. It is as if one should attempt, with black crayon, under dim light, to sketch the rising sun. I know also how a brief essay, the abstract of a discussion which would fill many volumes, takes an unseemly air of dogmatism, and a tone abrupt, aggressive, and uncompromising. Still worse, the clash with thoughts and habits rooted for generations in the minds, practices, and laws of every nation, provokes the scorn with which custom and experience always face bare unvarnished declarations of novel principles. "These be dreams and visions," cries worldly wisdom; "fine theories without practical meaning, but while human nature remains, anger and greed will burst into crime, and crime will demand repression and punishment."

This clamor against ideas, principles, and demonstrable truths, in the name of practical intelligence, is the perpetual brake upon the wheels of progress; and requires me to add, once for all, that there is no longer anything merely speculative or experimental in the methods we advocate, but they have already vindicated their value to the utmost extent of sanguine hope, wherever even tentative and timidly applied. There are thousands of useful citizens among us who have been rescued from criminal life by their reformatory influences; and each of these conclusive proofs of their power is accessible to the sincere inquirer. The statistical records of half a score of improved prisons, after every allowance for their imperfection, establish the general fact that the great majority of inmates who earn an honorable discharge from them are as sure to do well in after life as a greater majority of those released after fixed terms of confinement, under the traditional system, are sure to return to crime. Above all, the unanimous testimony of every governor and warden who has devoted himself to the work of saving men by these methods, is that even the condemned felon has in him, more often than not, the making of a law-abiding man and citizen, if only the state will seek to raise him instead of crushing him. In short, the world of criminal jurisprudence is already astir; less with the general principles than with the accomplished facts of reformatory discipline. He whose mind is open to these facts will not dare denounce as mere theory the promise of science and the laws of human nature.

WHAT SHALL BE DONE WITH THE CRIMINAL CLASS?

By CHARLES DUDLEY WARNER.

The problem of dealing with the criminal class seems insolvable, and it undoubtedly is with present methods. It has never been attempted on a fully scientific basis, with due regard to the protection of society and to the interests of the criminal.

It is purely an economic and educational problem, and must rest upon the same principles that govern in any successful industry, or in education, and that we recognize in the conduct of life. That little progress has been made is due to public indifference to a vital question and to the action of sentimentalists, who, in their philanthropic zeal, fancy that a radical reform can come without radical discipline. We are largely wasting our energies in petty contrivances instead of striking at the root of the evil.

What do we mean by the "criminal class?" It is necessary to define this with some precision in order to discuss intelligently the means of destroying this class. A criminal is one who violates a statute law, or, as we say, commits a crime. The human law takes cognizance of crime and not of sin. But all men who commit crime are not necessarily in the criminal class. Speaking technically, we put in that class those whose sole occupation is crime, who live by it as a profession, and who have no other permanent industry. They prey upon society. They are by their acts at war upon it and are outlaws.

The State is to a certain extent responsible for this class, for it has trained most of them, from youth up, through successive detentions in lockups, city prisons, county jails, and in State prisons and penitentiaries on relatively short sentences, under influences which tend to educate them as criminals and confirm them in a bad life. That is to say, if a man once violates the law and is caught, he is put into a machine from which it is very difficult for him to escape without further deterioration. It is not simply that the State puts a brand on him in the eyes of the community, but it takes away his self-respect without giving him an opportunity to recover it. Once recognized as in the criminal class, he has no further concern about the State than that of evading its penalties so far as is consistent with pursuing his occupation of crime.

To avoid misunderstanding as to the subject of this paper it is necessary to say that it is not dealing with the question of prison reform

in its whole extent. It attempts to consider only a pretty well-defined class. But in doing this it does not say that other aspects of our public peril from crime are not as important as this. We can not relax our efforts in regard to the relations of poverty, drink, and insanitary conditions as leading to crime. We have still to take care of the exposed children, of those with parentage and surroundings inclining to crime, of the degenerate and unfortunate. We have to keep up the warfare all along the line against the demoralization of society. But we have here to deal with a specific manifestation; we have to capture a stronghold the possession of which will put us in much better position to treat in detail the general evil.

Why should we tolerate any longer a professional criminal class? It is not large. It is contemptibly small compared with our seventy-five millions of people. If I am not mistaken, a late estimate gave us less than fifty thousand persons in our State prisons and penitentiaries. If we add to them those at large who have served one or two terms and are generally known to the police, we shall not have probably more than eighty thousand of the criminal class. But call it a hundred thousand. It is a body that seventy million of people ought to take care of with little difficulty. And we certainly ought to stop its increase. But we do not. The class grows every day. Those who watch the criminal reports are alarmed by the fact that an increasing number of those arrested for felonies are discharged convicts. This is an unmistakable evidence of the growth of the outlaw classes.

But this is not all. Our taxes are greatly increased on account of this class. We require more police to watch them who are at large and preying on society. We expend more yearly for apprehending and trying those caught, for the machinery of criminal justice, and for the recurring farce of imprisoning on short sentences and discharging those felons to go on with their work of swindling and robbing. It would be good economy for the public, considered as a taxpayer, to pay for the perpetual keep of these felons in secure confinement.

And still this is not the worst. We are all living in abject terror of these licensed robbers. We fear robbery night and day. We live behind bolts and bars (which should be reserved for the criminal), and we are in hourly peril of life and property in our homes and on the highways. But the evil does not stop here. By our conduct we are encouraging the growth of the criminal class, and we are inviting disregard of law and diffusing a spirit of demoralization throughout the country.

I have spoken of the criminal class as very limited; that is, the class that lives by the industry of crime alone. But it is not isolated, and it has widespread relations. There is a large portion of our population not technically criminals which is interested in maintaining this criminal class. Every felon is a part of a vast network of criminality. He has his dependents, his allies, his society of vice, all the various machinery of temptation and indulgence.

It happens, therefore, that there is great sympathy with the career of the lawbreakers. Many people are hanging on them for support, and among them the so-called criminal lawyers. Any legislation likely to interfere seriously with the occupation of the criminal class or with its increase is certain to meet with opposition of a large body of voters. With this active opposition of those interested, and the astonishing indifference of the general public, it is easy to see why so little is done to relieve us of this intolerable burden. The fact is, we go on increasing our expenses for police, for criminal procedure, for jails and prisons, and we go on increasing the criminal class and those affiliated with it.

And what do we gain by our present method? We do not gain the protection of society and we do not gain the reformation of the criminal. These two statements do not admit of contradiction. Even those who cling to the antiquated notion that the business of society is to punish the offender must confess that in this game society is getting the worst of it. Society suffers all the time, and the professional criminal goes on with his occupation, interrupted only by periods of seclusion, during which he is comfortably housed and fed. The punishment he most fears is being compelled to relinquish his criminal career. The object of punishment for violation of statute law is not vengeance, it is not to inflict injury for injury. Only a few persons now hold to that. They say now that if it does little good to the offender it is deterrent as to others. Now, is our present system deterrent? The statute law, no doubt, prevents many persons from committing crime, but our method of administering it certainly does not lessen the criminal class, and it does not adequately protect society. Is it not time we tried, radically, a scientific, a disciplinary, a really humanitarian method?

The proposed method is the indeterminate sentence. This strikes directly at the criminal class. It puts that class beyond the power of continuing its depredations upon society. It is truly deterrent, because it is a notification to anyone intending to enter upon that method of living that his career ends with his first felony. As to the general effects of the indeterminate sentence, I will repeat here what I recently wrote for the Yale Law Journal:

It is unnecessary to say in a law journal that the indeterminate sentence is a measure as yet untried. The phrase has passed into current speech, and a considerable portion of the public is under the impression that an experiment of the indeterminate sentence is actually being made. It is, however, still a theory, not adopted in any legislation or in practice anywhere in the world.

The misconception in regard to this has arisen from the fact that under certain regulations paroles are granted before the expiration of the statutory sentence.

An indeterminate sentence is a commitment to prison without any limit. It is exactly such a commitment as the court makes to an asylum of a man who is proved to be insane, and it is paralleled by the practice of sending a sick man to the hospital until he is cured.

The introduction of the indeterminate sentence into our criminal procedure would be a radical change in our criminal legislation and practice. The original conception was that the offender against the law should be punished, and that the punishment should be made to fit the crime, an opera-bouffe conception which has been

abandoned in reasoning, though not in practice. Under this conception the criminal code was arbitrarily constructed, so much punishment being set down opposite each criminal offense, without the least regard to the actual guilt of the man as an individual sinner.

Within the present century considerable advance has been made in regard to prison reform, especially with reference to the sanitary condition of places of confinement; and, besides this, efforts of various kinds have been made with regard to the treatment of convicts, which show that the idea was gaining ground that criminals should be treated as individuals. The application of the English ticket-of-leave system was one of these efforts; it was based upon the notion that, if any criminal showed sufficient evidence of a wish to lead a different life, he should be conditionally released before the expiration of his sentence. The parole system in the United States was an attempt to carry out the same experiment, and with it went along the practice which enabled the prisoner to shorten the time of his confinement by good behavior. In some of the States reformatories have been established to which convicts have been sent under a sort of sliding sentence; that is, with the privilege given to the authorities of the reformatory to retain the offender to the full statutory term for which he might have been sentenced to State prison, unless he had evidently reformed before the expiration of that period. That is to say, if a penal offense entitled the judge to sentence the prisoner for any period from two to fifteen years, he could be kept in the reformatory at the discretion of the authorities for the full statutory term. It is from this law that the public notion of an indeterminate sentence is derived. It is, in fact, determinate, because the statute prescribes its limit.

The introduction of the ticket-of-leave and the parole systems and the earning of time by good behavior were philanthropic suggestions and promising experiments which have not been justified by the results. It is not necessary at this time to argue that no human discretion is adequate to mete out just punishment for crimes; and it has come to be admitted generally, by men enlightened on this subject, that the real basis for dealing with the criminal rests, firstly, upon the right of society to secure itself against the attacks of the vicious; and secondly, upon the duty imposed upon society to reform the criminal, if that is possible. It is patent to the most superficial observation that our present method does not protect society and does not lessen the number of the criminal class, either by deterrent methods or by reformatory processes, except in a very limited way.

Our present method is neither economic nor scientific nor philanthropic. If we consider the well-defined criminal class alone, it can be said that our taxes and expenses for police and the whole criminal-court machinery for dealing with those who are apprehended and watching those who are preying upon society yearly increase, while all private citizens in their own houses or in the streets live in constant terror of the depredations of this class. Considered from the scientific point of view, our method is absolutely crude and but little in advance of mediæval conditions, and while it has its sentimental aspects it is not real philanthropy, because comparatively few of the criminal class are permanently rescued.

The indeterminate sentence has two distinct objects: one is the absolute protection of society from the outlaws whose only business in life is to prey upon society, and the second is the placing of these offenders in a position where they can be kept long enough for scientific treatment as decadent human beings, in the belief that their lives can be changed in their purpose. No specific time can be predicted in which a man by discipline can be expected to lay aside his bad habits and put on good habits, because no two human beings are alike, and it is therefore necessary that an indefinite time in each case should be allowed for the experiment of reformation.

We have now gone far enough to see that the ticket-of-leave system, the parole system as we administer it in the State prisons (I except now some of the reforma-

tories), and the good-conduct method are substantially failures, and must continue to be so until they rest upon the absolute indeterminate sentence. They are worse than failures now, because the public mind is lulled into a false security by them, and efforts at genuine prison reform are defeated.

It is very significant that the criminal class adapted itself readily to the parole system with its sliding scale. It was natural that this should be so, for it fits in perfectly well with their scheme of life. This is to them a sort of business career, interrupted now and then only by occasional limited periods of seclusion. Any device that shall shorten those periods is welcome to them. As a matter of fact, we see in the State prisons that the men most likely to shorten their time by good behavior, and to get released on parole before the expiration of their sentence, are the men who make crime their career. They accept this discipline as a part of their lot in life, and it does not interfere with their business any more than the occasional bankruptcy of a merchant interferes with his pursuits.

It follows, therefore, that society is not likely to get security for itself, and the criminal class is not likely to be reduced essentially or reformed, without such a radical measure as the indeterminate sentence, which, accompanied, of course, by scientific treatment, would compel the convict to change his course of life or to stay perpetually in confinement.

Of course, the indeterminate sentence would radically change our criminal jurisprudence and our statutory provisions in regard to criminals. It goes without saying that it is opposed by the entire criminal class, and by that very considerable portion of the population which is dependent on or affiliated with the criminal class, which seeks to evade the law and escape its penalties. It is also opposed by a small portion of the legal profession which gets its living out of the criminal class, and it is sure to meet the objection of the sentimentalists who have peculiar notions about depriving a man of his liberty, and it also has to overcome the objections of many who are guided by precedents and who think the indeterminate sentence would be an infringement of the judicial prerogative.

It is well to consider this latter little further. Our criminal code, artificial and indiscriminating as it is, is the growth of ages and is the result of the notion that society ought to take vengeance upon the criminal—at least that it ought to punish him, and that the judge, the interpreter of the criminal law, was not only the proper person to determine the guilt of the accused, by the aid of the jury, but was the sole person to judge of the amount of punishment he should receive for his crime. Now, two functions are involved here—one is the determination that the accused has broken the law; the other is gauging within the rules of the code the punishment that each individual should receive. It is a theological notion that the divine punishment for sin is somehow delegated to man for the punishment of crime; but it does not need any argument to show that no tribunal is able with justice to mete out punishment in any individual case, for probably the same degree of guilt does not attach to two men in the violation of the same statute, and while in the rough view of the criminal law, even, one ought to have a severe penalty, the other should be treated with more leniency. All that the judge can do under the indiscriminating provisions of the statute is to make a fair guess at what the man should suffer.

Under the present enlightened opinion, which sees that not punishment but the protection of society and the good of the criminal are the things to be aimed at, the judge's office would naturally be reduced to the task of determining the guilt of the man on trial, and then the care of him would be turned over to expert treatment, exactly as in a case when the judge determines the fact of a man's insanity.

If objection is made to the indeterminate sentence on the ground that it is an unusual or cruel punishment, it may be admitted that it is unusual, but that commitment to detention can not be called cruel when the convict is given the key to the house in which he is confined. It is for him to choose whether he will become a decent man and go back into society, or whether he will remain a bad man and

stay in confinement. For the criminal who is, as we might say, an accidental criminal, or for the criminal who is susceptible to good influences, the term of imprisonment under the indeterminate sentence would be shorter than it would be safe to make it for criminals under the statute. The incorrigible offender, however, would be cut off at once and forever from his occupation, which is, as we said, varied by periodic residence in the comfortable houses belonging to the State.

A necessary corollary of the indeterminate sentence is that every State prison and penitentiary should be a reformatory, in the modern meaning of that term. It would be against the interest of society, all its instincts of justice, and the height of cruelty to an individual criminal to put him in prison without limit unless all the opportunities were afforded him for changing his habits radically. It may be said in passing that the indeterminate sentence would be in itself to any man a great stimulus to reform, because his reformation would be the only means of his terminating that sentence. At the same time a man left to himself, even in the best ordered of our State prisons which is not a reformatory, would be scarcely likely to make much improvement.

I have not space in this article to consider the character of the reformatory; that subject is fortunately engaging the attention of scientific people as one of the most interesting of our modern problems. To take a decadent human being, a wreck physically and morally, and try to make a man of him, that is an attempt worthy of a people who claim to be civilized. An illustration of what can be done in this direction is furnished by the Elmira Reformatory, where the experiment is being made with most encouraging results, which, of course, would be still better if the indeterminate sentence were brought to its aid.

When the indeterminate sentence has been spoken of with a view to legislation, the question has been raised whether it should be applied to prisoners on the first, second, or third conviction of a penal offense. Legislation in regard to the parole system has also considered whether a man should be considered in the criminal class on his first conviction for a penal offense. Without entering upon this question at length, I will suggest that the convict should, for his own sake, have the indeterminate sentence applied to him upon conviction of his first penal offense. He is much more likely to reform then than he would be after he had had a term in the State prison and was again convicted, and the chance of his reformation would be lessened by each subsequent experience of this kind. The great object of the indeterminate sentence, so far as the security of society is concerned, is to diminish the number of the criminal class, and this will be done when it is seen that the first felony a man commits is likely to be his last, and that for a young criminal contemplating this career there is in this direction "no thoroughfare." By his very first violation of the statute he walks into confinement, to stay there until he has given up the purpose of such a career.

In the limits of this paper I have been obliged to confine myself to remarks upon the indeterminate sentence itself, without going into the question of the proper organization of reformatory agencies to be applied to the convict, and without consideration of the means of testing the reformation of a man in any given case. I will only add that the methods at Elmira have passed far beyond the experimental stage in this matter.

The necessary effect of the adoption of the indeterminate sentence for felonies is that every State prison and penitentiary must be a reformatory. The convict goes into it for the term of a year, at least (since the criminal law, according to ancient precedent, might require that, and because the discipline of the reformatory would require it as a practical rule), and he stays there until, in the judgment of competent authority, he is fit to be trusted at large.

If he is incapable of reform, he must stay there for his natural life. He is a free agent. He can decide to lead an honest life and have his liberty, or he can elect to work for the State all his life in criminal confinement.

When I say that every State prison is to be a reformatory, I except, of course, from its operation those sentenced for life for murder, or other capital offenses, and those who have proved themselves incorrigible by repeated violations of their parole.

It is necessary now to consider the treatment in the reformatory. Only a brief outline of it can be given here, with a general statement of the underlying principles. The practical application of these principles can be studied in the Elmira Reformatory of New York, the only prison for felons where the proposed system is carried out with the needed disciplinary severity. In studying Elmira, however, it must be borne in mind that the best effects can not be obtained there owing to the lack of the indeterminate sentence. In this institution the convict can only be detained for the maximum term provided in the statute for his offense. When that is reached the prisoner is released whether he is reformed or not.

The system of reform under the indeterminate sentence, which for convenience may be called the Elmira system, is scientific, and it must be administered entirely by trained men and by specialists; the same sort of training for the educational and industrial work as is required in a college or an industrial school, and the special fitness required for an alienist in an insane asylum. The discipline of the establishment must be equal to that of a military school.

We have so far advanced in civilization that we no longer think of turning the insane, the sick, the feeble-minded over to the care of men without training chosen by the chance of politics. They are put under specialists for treatment. It is as necessary that convicts should be under the care of specialists, for they are the most difficult and interesting subjects for scientific treatment. If not criminals by heredity, they are largely made so by environment; they are either physical degenerates or they are brutalized by vice. They have lost the power of distinguishing right from wrong; they commonly lack will power and so are incapable of changing their habits without external influence. In short, the ordinary criminal is unsound and diseased in mind and body.

To deal with this sort of human decadent is, therefore, the most interesting problem that can be offered to the psychologist, to the physiologist, to the educator, to the believer in the immortality of the soul. He is still a man, not altogether a mere animal, and there is always a possibility that he may be made a decent man, and a law-abiding, productive member of society.

Here, indeed, is a problem worthy of the application of all our knowledge of mind and of matter, of our highest scientific attainments. But it is the same problem that we have in all our education, be it the

training of the mind, the development of the body, or the use of both to good ends. And it goes without saying that its successful solution, in a reformatory for criminals, depends upon the character of the man who administers the institution. There must be at the head of it a man of character, of intellectual force, of administrative ability, and all his subordinate officers must be fitted for their special task, exactly as they should be for a hospital, or a military establishment, for a college, or for a school of practical industries. And when such men are demanded they will be forthcoming, just as they are in any department in life, when a business is to be developed, a great engineering project to be undertaken, or an army to be organized and disciplined.

The development of our railroad system produced a race of great railroad men. The protection of society by the removal and reform of the criminal class, when the public determines upon it, will call into the service a class of men fitted for the great work. We know this is so because already, since the discussion of this question has been current, and has passed into actual experiment, a race of workers and prison superintendents all over the country have come to the front who are entirely capable of administering the reform system under the indeterminate sentence. It is in this respect, and not in the erection of model prisons, that the great advance in penology has been made in the last twenty years. Men of scientific attainment are more and more giving their attention to this problem as the most important in our civilization. And science is ready to take up this problem when the public is tired and ashamed of being any longer harried, and bullied, and terrorized over by the criminal class.

The note of this reform is *discipline*, and its success rests upon *the law of habit*. We are all creatures of habit, physical and mental. Habit is formed by repetition of any action. Many of our physical habits have become automatic. Without entering into a physiological argument, we know that repetition produces habit, and that, if this is long continued, the habit becomes inveterate. We know also that there is a habit, physical and moral, of doing right as well as doing wrong. The criminal has the habit of doing wrong. We propose to submit him to influences that will change that habit. We also know that this is not accomplished by suppressing that habit, but by putting a good one in its place.

It is true in this case that nature does not like a vacuum. The thoughts of men are not changed by leaving them to themselves, they are changed by substituting other thoughts.

The whole theory of the Elmira system is to keep men long enough under a strict discipline to change their habits. This discipline is administered in three ways. They are put to school, they are put at work, they are prescribed minute and severe rules of conduct, and in the latter training is included military drill.

The school and the workshop are both primarily for discipline and the formation of new habits. Only incidentally are the school and the work-

shop intended to fit a man for an occupation outside of the prison. The whole discipline is to put a man in possession of his faculties, to give him self-respect, to get him in the way of leading a normal and natural life. But it is true that what he acquires by the discipline of study and the discipline of work will be available in his earning an honest living. Keep a man long enough in this three-ply discipline and he will form permanent habits of well-doing. If he can not and will not form such habits his place is in confinement, where he can not prey upon society.

There is not space here to give the details of the practices at Elmira. They are easily attainable. But I will notice one or two objections that have been made. One is that in the congregate system men necessarily learn evil from each other. This is, of course, an evil. It is here, however, partially overcome by the fact that the inmates are kept so busy in the variety of discipline applied to them that they have little or no time for anything else. They study hard, and are under constant supervision as to conduct. And then their prospect of parole depends entirely upon the daily record they make and upon their radical change of intention. At night they are separated in their cells. During the day they are associated in class, in the workshop, and in drill, and this association is absolutely necessary to their training. In separation from their fellows they could not be trained. Fear is expressed that they will deceive their keepers and the board which is to pass upon them, and obtain parole when they do not deserve it. As a matter of fact, men under this discipline can not successfully play the hypocrite to the experts who watch them. It is only in the ordinary prison where the parole is in use with no adequate discipline, and without the indefinite sentence, that deception can be practiced. But suppose a man does play the hypocrite so as to deceive the officers, who know him as well as any employer knows his workmen or any teacher knows his scholars, and deceives the independent board so as to get a parole. If he violates that parole, he can be remanded to the reformatory, and it will be exceedingly difficult for him to get another parole. And, if he should again violate his parole, he would be considered incorrigible and be placed in a life prison.

We have tried all other means of protecting society, of lessening the criminal class, of reforming the criminal. The proposed indeterminate sentence, with reformatory discipline, is the only one that promises to relieve society of the insolent domination and the terrorism of the criminal class; is the only one that can deter men from making a career of crime; is the only one that offers a fair prospect for the reformation of the criminal offender.

Why not try it? Why not put the whole system of criminal jurisprudence and procedure for the suppression of crime upon a sensible and scientific basis?

THE MASSACHUSETTS REFORMATORY.

By JOSEPH F. SCOTT,
Superintendent.

The Massachusetts reformatory was established and opened for the reception of criminals December 20, 1884. For many years Massachusetts had developed and maintained a successful system for dealing with its juvenile offenders. It was believed by many that similar methods might be applied to a considerable portion of the adult criminal population. The New York State Reformatory at Elmira had already been established and was in successful operation. From these two sources was the outgrowth of the sentiment which carried through the legislature the bill establishing the reformatory. Many of its methods were ingrafted from the two sources mentioned, while many others have been originated by this institution and developed as experience has shown their especial need.

The buildings taken for the reformatory use were formerly occupied as the State prison. They were practically new, having been built in 1878, but many additions and alterations have been made to adapt them to reformatory purposes. They are situated upon a farm consisting of 300 acres in the towns of Concord and Acton in Middlesex County. The main buildings of the reformatory are situated within an inclosure containing 20 acres, surrounded by a brick wall 24 feet in height. The offices, the houses of the superintendent and deputy superintendent, are without the inclosure, but immediately connected with the main buildings. There are also 32 houses for the officers of the institution immediately without the walls. Three cell blocks radiate from the central guardroom and contain 950 cells. There is also another cell block containing 72 cells entirely separated from the other cell blocks and used for the prisoners of lower grade. There are other buildings for dining room, chapel, domestic buildings, and storehouses. There are workshop and trade-school buildings for the employment of 1,000 men, and a schoolhouse with a lecture hall and class rooms with a seating capacity for the same number. Another inclosure immediately in the rear contains the stables for horses, cows, and swine. The cell blocks are all furnished with running water and the whole plant lighted throughout by electricity. The cost of the land and buildings as they now stand has been \$1,319,300. They are well adapted to the work and are among the best prison buildings in the United States.

THE REFORMATORY METHOD.

The reformatory methods are based upon the belief that many criminals can and do reform if given the opportunity under proper training. The population of the reformatory viewed from the standpoint of the community whence they came is its dangerous element. They have reached that degree of criminality from which these communities have demanded protection. From the standpoint of the judiciary they are criminals who are amenable to reformatory influences, in the main its younger criminals and beginners in crime, though the ages of many compare with those confined in the State prison. It commits them to the reformatory not as an act of leniency, but for discipline, correction, and reformation, and the element of punishment is not thereby eliminated. From the standpoint of the reformatory both these views are kept constantly in mind, and while it is ever reminded of their criminality it never loses sight of the fact that they are also men, though undeveloped, defective or perverted, nevertheless men capable of development, rehabilitation, and reformation. It does not view them as subjects of sentimentality or commiseration merely, but always with that degree of consideration necessary to turn them to right purposes and actions; it does not seek to condone their offenses or lessen their punishment, but to inspire them to put forth effort for their own reformation. It persuades the willing, compels the willful, and punishes the obdurate. It sees the possibility and believes the probability of their being restored to society and brought into right relationship to it. It believes they might be so disciplined and instructed as to desire to do right and so equipped as to be able to do well.

The methods of the reformatory are not mysterious or magical, but those methods are used which have been found beneficial in the development of the child to upright manhood. They seek to bring to bear upon the prisoners those elements which in every civilized and Christian community have been found beneficial to its individuals. In communities of the best civilization, of the highest morality, of the best industrial conditions, we find the church, the schoolhouse, and the workshop, and the element which they represent is what the reformatory seeks to bring to its prisoners with a view to correct them to the moral, intellectual, and industrial conditions of the good citizen. It believes the prisoner to have in a degree the possibilities of the commonalty of man, and it finds them needing the same motive and power by which the best people have reached and continued in goodness. It seeks to discipline, instruct, enlighten, qualify, and equip the offender, so that he will not again have the desire or necessity for wrong-doing. He is to be corrected by discipline, which is to be continuous and exacting, taking into account all the actions of his prison life. He is to be physically strengthened, if defective; morally awakened, trained and instructed intellectually, and placed upon a good industrial basis. He is to be so

trained that he will desire to do well, and so strengthened as to resist temptation, and so equipped as to be able to do well. Consequently the work of the reformatory must be in a large degree educational, so as to attain the physical, intellectual, moral, and industrial development of the prisoner. When this educational work is supplemented by the indeterminate sentence and its attendant grading and marking systems, the prisoner is not only afforded the means of reformation but the motive for his own effort to that end. It is sought to accomplish this end by an exacting discipline. Discipline as a corrective force is not underestimated in the reformatory. It is in itself a valuable agency in inculcating self-control, also essential in the reformation of men, besides being indispensable in bringing the prisoner into the proper state of mind for the reception of other forces and influences which experience has proved to be beneficial to him.

DISCIPLINE.

The intent of the discipline of this reformatory is to inspire effort in the prisoner for his reformation. It is sought to place the administration of it upon a plane which will command the prisoner's respect and confidence, and, even should he bring down upon himself its punishments, he can not deny its justice. For this reason it is expected of every officer with whom discipline rests that he shall be exacting and firm, but at the same time fair and kindly in all his dealings with the prisoner. Obedience at all times is required of the prisoner, but his willing obedience is sought, if possible, that he may see the necessity and feel the desire for well-doing. If the prisoner neglects or refuses to respond to the discipline which appeals to his better nature, then the necessary force must be used to bring him to a proper course of action.

By the indeterminate sentence and marking system the discipline of the reformatory utilizes for his reformation the prisoner's desire for release, arousing him to his greatest effort to reach the standards required of him to obtain it. By grading him according to his marking, so that his privileges increase as he progresses from grade to grade, another motive is given him for his best endeavor, and an opportunity afforded to test his ability to maintain himself uprightly, as the restraints are removed by his rise in grade. When he reaches that point where he is able, and desires to exercise self-control, he is well disciplined, and that discipline is the best which brings to bear those forces which spur him on to make the greatest effort to reach that point in the shortest possible time. To accomplish this the reformatory endeavors to make this discipline paternal, to administer it firmly, evenly, and kindly; to require implicit obedience, and willing obedience, if possible; to make it hopeful and inspiring, recognizing any response to it without overlooking any of its infractions; to make it uplifting rather than depressing, whereby the highest standards required can be readily reached by continuous effort; to treat each man as a man, making

him reliant, honest, manly, and in no wise subservient or hypocritical. Under such a system, which has been the aim of this reformatory, it has been possible, in the main, to transform this great number of undisciplined men upon their reception into an orderly body of men, loyal to the institution and its methods, receptive to its endeavors, and each earnest to make such personal application and effort as will enable him to reach release and maintain himself when it is attained. It is obvious that such discipline in itself can not fail to be corrective.

TRADE SCHOOLS.

In the reformatory methods labor is given the first place, in the belief that the capacity for methodical work is the basis of reformation. The industrial departments of the reformatory have been established in each case, primarily for the instruction of the prisoners, even at the sacrifice of production and remuneration. A part of each day the prisoners are employed in the trade schools for instruction only, and a part of each day they are employed upon the productive industries. The sloyd system of woodworking is taught for manual training, and classes are maintained for definite trades teaching in woodwork, consisting of wood turning, carpentry, cabinetmaking, and wood carving; in metal working, consisting of blacksmithing, tinsmithing, plumbing, and engraving. There are also classes in masonry, painting, and printing. Special instruction is given to all of the trades classes in mechanical drawing.

The productive industries at the present time are chairmaking, shoemaking, and the manufacture of woolen and cotton cloths. The last industry is conducted under the State-use plan, and cloth is manufactured for the other penal and charitable institutions of the State. While a large amount of cloth is produced it offers the facilities of a textile training school in many ways equal to the best schools of such character; so that in this, as in the other productive industries, prisoners when they are released readily find employment at good wages.

SCHOOL OF LETTERS.

The sessions of the school of letters are in the evening. The course corresponds to the grammar grades of the State schools, besides special instruction is given in ethics, history, and civil government. The schools are in session for two hours five nights in each week, fifty-two weeks in the year. The work is done systematically, and regular examinations are held. The prisoner must pass the examination in a creditable manner or he loses his standing, retarding his release.

The following are examples of examination questions in some of the classes:

Examination in arithmetic.

1. Name a simple number; a compound number; a denominate number.
2. Explain the difference between a pound of avoirdupois weight and a pound of Troy weight.

3. How does a decimal fraction differ from a common fraction?
4. Explain the difference between longitude and latitude.
5. How is an angle formed?
6. Upon what does its size depend?

Examination in grammar.

1. Explain the special uses of the study of grammar.
2. What is meant by mode and tense?
3. What is meant by an impersonal object or subject of a verb?
4. Write a simple sentence; write a compound sentence; write a complex sentence.
5. What is the difference between a common and a proper noun?

Examination in physiology.

1. Of what use is the blood?
2. Describe the action of the valves of the heart.
3. What is the effect of alcohol on the heart?
4. What is the effect of tobacco on the heart?
5. Describe the medulla oblongata. What are its functions?

Examination in civil government.

1. What is the essential difference between township government and county government?
2. What is the distinct advantage of the former?
3. What is a criminal action?
4. What is a civil action?
5. Should a disturbance of a serious nature break out in your town, whose immediate duty would it be to quell it?
6. Should this duty prove too difficult to be thus performed, then what?

Examination in ethics.

1. What is the ethical influence of exchange upon the civilization of the world?
2. Name and describe different kinds of courage.
3. Describe the effect of determination upon one's character.
4. Can a successful man be strictly honest and conscientious in business?
5. Define the family.
6. What is the essential difference between cooperation and socialism?

The schools at the reformatory have from its inception been one of its prominent features. The interest and progress made in the different classes are especially noticeable. Most of the men are particularly earnest in the school work and appreciate the opportunity afforded them. To many a quickening of the intellectual powers is the first step toward their reformation; and the indirect results of carefully ordered pursuits and advanced school instruction are found in every department of the prison. The educational work is uplifting in every respect.

SOCIETY ORGANIZATIONS.

Supplementing the school work the society organizations, which are a unique feature of this reformatory, have been of considerable value. The meetings of these societies are held upon Saturday and Sunday evenings of each week. They are organized to give the prisoners

instructive entertainment. Each society has a president or leader and a secretary and such other officers as may be needed to carry on the organization and maintain order. They are conducted without the presence of the prison officers. First-grade men and such second-grade men as have maintained a satisfactory conduct record may be admitted to membership if approved by the superintendent. Over 300 of the members assemble at each of the meetings on the different evenings. The programmes are arranged during the week by the president of the different societies and are printed for each member. These usually consist of declamations, musical selections, talks, and original papers on a great variety of subjects. The merit of these programmes is usually to be commended. By those who have watched them constantly it is believed that much good has been derived from them. They awaken good purposes, stimulate the members to reading and study, develop self reliance and a considerate, respectful manliness which is apparent in their demeanor throughout the reformatory. From a disciplinary point of view they make the prison self-governing in many respects, and impart an influence which is beneficial to the whole institution. Each year they have grown in interest and efficiency, and there never has been any occasion to cause regret. Many expressions of gratitude are received from men who have gone from us for the benefit they have received from the societies, and in many cases the first incentive to right doing has been attributed to the encouragement received from them. They have been of great benefit not only to the men but to the general good discipline of the institution.

MORAL AND RELIGIOUS INFLUENCE.

No reformatory attempting the work of reclaiming men can leave out the agencies of religion and morality. When a godless life brings men to prison a godless prison will do little towards their restoration. No matter how well prisoners may be instructed in trades, educated and physically trained, their reformation is not a complete work unless there has been instilled into their hearts a strong desire for the right. The success of the reformatory depends upon its being pervaded by moral and spiritual influence. We can rely upon nothing less than the greatest force to insure the reformation of men. Penal infliction, the routine of a well-ordered prison, schools, trades, and industrial education are all important; they are each indispensable in its place, but they are none of them, nor all of them together, sufficient alone to insure the largest results in the reformation of men; pervading them all, leading them all, must be the great reformatory force. This reformatory influence must be a pervasive one; it needs to vitalize the entire administration of the institution in every department throughout; it should pervade the whole institution like an atmosphere; the moment a prisoner comes into the prison he should be compelled to breathe that atmosphere; it should be impossible for him ever to get away from it

anywhere, or at any time, while he remains a prisoner; in his cell, in his school, or at his work, he should be as nearly as possible shut up to it. This moral influence should be so genuine that the sharpest prisoner could not challenge its sincerity. It should have such a constraining force that no prisoner could fail to feel it strongly, even though he always had the power to resist it.

It is not alone sufficient to have occasional religious instruction, but the whole administration of the prison must be one of Christian treatment. The religious and moral work is under the direct supervision of the chaplain, who is in attendance at the reformatory each day of the week. There is a church service on Sunday which all officers and prisoners are expected to attend, Sunday schools for both Catholics and Protestants, and meetings each evening of the week for special moral and religious instruction.

The parish priest of Concord celebrates mass each Sunday morning for the Catholic population, and he is in attendance more or less during the week. Every opportunity is given the chaplain and the priest for easy access to the prisoners at all times; and much of the success of the reformatory is directly attributable to the zealous work which they have performed.

INDETERMINATE SENTENCE.

A thorough physical, mental, and moral development makes the normal man, and nothing else can effect his reformation and fit him for the society of his fellow-beings. Reformation being the end sought, it should be the only avenue by which release from prison can be gained. The indeterminate sentence is imperative to the best reformatory work, allowing the prisoner to be readily restored to society when he shows evidences of reformation, and indefinitely restraining him so long as he is inimical to it. No absolutely indeterminate sentence law has yet been enacted in any of the United States, but in each a maximum period has been determined by statutes. The law imposing the indeterminate sentence upon convicts sentenced to reformatory went into effect in 1886, and has now had a trial of fourteen years. The statute is as follows:

[Chapter 323, acts of 1886.]

SECTION 1. Whenever a convict is sentenced to the Massachusetts reformatory, the court or trial justice imposing the sentence shall not fix or limit the duration thereof, unless the term of said sentence shall be more than five years, but said convict shall merely be sentenced to the Massachusetts reformatory.

[Chapter 302, acts of 1892.]

SECTION 1. Whoever is sentenced to the Massachusetts reformatory, as provided in section one of chapter three hundred and twenty-three of the acts of the year eighteen hundred and eighty-six, for an offence punishable by imprisonment in the State prison, may be held in said reformatory for a term not exceeding five years, or, if sentenced for a longer term than five years, may be held for such longer term.

SEC. 2. Whoever is sentenced to said reformatory for any offence that is not punishable by imprisonment in the State prison may be held in said reformatory for a term not exceeding two years.

The statute providing for the discharge of prisoners from the Massachusetts reformatory is as follows:

[Chapter 255, acts of 1884.]

SEC. 33. When it shall appear to the commissioners of prisons that any person imprisoned in said reformatory has reformed, they may issue to him a permit to be at liberty during the remainder of his term of sentence, upon such conditions as they may deem best.

The rules established by the commissioners of prisons, with the approval of the governor and council, for the release of men under this statute are as follows:

All prisoners held in the Massachusetts reformatory shall be eligible to be considered by the commissioners of prisons for release on permit when they have served the time required by this rule, and have complied with the conditions named herein. The words "perfect record" used in this rule signify good behavior, industry in labor, and diligence in study.

First. A prisoner convicted of drunkenness or other misdemeanor, and committed to said reformatory, shall serve in the first grade with a perfect record for three consecutive months.

Second. A prisoner convicted of felony and committed to said reformatory upon a sentence without a term fixed by the court shall serve in the first grade for six consecutive months with a perfect record.

Third. A prisoner convicted of felony and committed to said reformatory upon a term sentence shall serve one-half the sentence, with one month added thereto for every imperfect month, but in each case the last five months served must be with a perfect record.

Fourth. A prisoner removed to said reformatory by the commissioners shall serve two-thirds of the term of his sentence, with one month added thereto for every imperfect month. Prisoners sentenced to the State prison under chapter 504 of the acts of 1895, as amended by chapter 294 of the acts of 1897, and chapters 240 and 371 of the acts of 1898, shall serve not less than their minimum sentence, but in each case the last five months served must be with a perfect record.

Fifth. A prisoner who has been committed to the Massachusetts reformatory, and is again held therein either upon a new sentence or upon a revocation of permit by the commissioners, must serve in the first grade for thirteen months with a perfect record; provided, however, that a prisoner whose first imprisonment was for misdemeanor, and who is resented or returned for misdemeanor, may be released after serving seven months in the first grade with a perfect record.

The rules established by the commissioners of prisons, with the approval of the governor and council, for the marking and grading of prisoners are as follows:

1. Inmates of the reformatory shall be classified into three grades—first, second, and third—the first being the highest, the second the intermediate, and the third the lowest.

2. Each prisoner committed to the reformatory for the first time will enter the second grade, and will be promoted to the first grade when he shall have earned one thousand credit marks within seven consecutive months.

3. A prisoner shall be allowed for perfect conduct, industry in labor, and diligence in study 5 credit marks for each day. For imperfections in conduct, lack of industry in labor, or want of diligence in study he shall lose such number of marks as the superintendent shall decide.

4. If a prisoner in the first grade shall fail to obtain 125 credit marks during any

one month, he shall be reduced to the second grade. A failure to obtain this number of marks per month by a second-grade prisoner for two consecutive months will reduce him to the third grade. A failure by a third-grade prisoner to obtain 100 credit marks per month for three consecutive months will subject him to such punishment as the superintendent, with the consent of the commissioners, shall prescribe.

5. A total of 5 credit marks for each day of any one month may advance a prisoner from the third to the second grade; or, in other words, 150 credit marks must be obtained to advance a man from third to second grade.

6. A first-grade prisoner who shall lose his standing (see rule 4) may be restored if he shall obtain 150 credit marks in the month next ensuing.

7. One hundred and fifty credit marks shall be allowed in the month of February if 5 credit marks be gained in each day of said month.

8. A prisoner, in whatever grade he may be, who shall obtain 5 credit marks for each day for four consecutive months shall be entitled thereby to 150 additional credit marks.

9. A prisoner who has lost no marks, on reaching the first grade shall be classed as "first-grade perfect," and remain so until marks are lost. In the granting of privileges and permits first-grade perfect prisoners will be preferred.

10. The superintendent may, with the approval of the commissioners, allow special credit marks to any prisoner, or promote him to first-grade perfect.

11. Serious breaches of the peace or discipline of the reformatory will cause a prisoner to be reduced to the third grade, or to suffer such punishment as the superintendent shall direct.

12. The superintendent may from time to time establish the privileges of the several grades and the number of marks to be deducted for various offenses.

13. Prisoners will not be released from the reformatory before their sentence shall expire, except from the first grade.

14. Promotions from one grade to another shall be made on the third day of each month, except when that day shall occur on Sunday, when the promotion shall take place on the fourth day.

15. Releases on permit will be by the commissioners.

CLASSIFICATION.

The reformatory has established a system of classification upon the merit, tendency, and traits of character rather than upon age and offense. Much is said at the present day about the classification of prisoners. Arbitrarily done, it can only lead to one logical conclusion—that of individual separation. A system of classification should be founded upon progression, and while it is well to keep the young from the old, the misdemeanants from the felons, the hardened from the beginners, it should be effort on the part of the prisoner which should determine his position rather than anything pertaining to his past. It is the natural state of man to live in the society of his fellows, and while he may learn much from them to demoralize him and retard his progress, the strength he receives by contact more than offsets it. It is not so much a matter of the amount of evil one knows as how he learns it; and a prisoner's reformation can only be accomplished when he is able to stand up in spite of any evil conditions which may surround him. A marking and grading system has been established to note the prisoner's effort and progress, and to classify him according to his merit. He is also classified according to his intelligence, for his education, his aptitudes, for his trades teaching, his defects, for his physical training, his religious convictions, that he may obtain proper instruction.

CONDITIONAL LIBERATION.

When a prisoner has acquired the necessary standing in this marking system to have his name presented to the commissioners of prisons for release, the superintendent presents his name, with a copy of the complaint and mittimus upon which he was committed, the report of the local authorities concerning him, his own statement when received, and his record while in the reformatory, also his personal opinion of the prisoner's fitness for release. The prisoner is then interviewed by the commissioners of prisons, and either his permit to be at liberty is granted or he is retained for further tests.

Each case stands upon the individual merits of the prisoner, and as no two cases can be alike, no two necessarily receive exactly the same treatment, as indeed they can not. Men are to be treated upon the basis of character, and not conduct merely. By this plan the intent of the statutes, which provide, "When it shall appear to the commissioners of prisons that a prisoner imprisoned in the reformatory has reformed, they may issue to him a permit to be at liberty during the remainder of his sentence," is more thoroughly carried out than by any other. The law makes this sentence indefinite within certain limits, and its greatest advantages are obtained when the prisoner realizes that after passing the minimum limit the duration of his imprisonment will depend upon his character and conduct.

It is inevitable under any system that there should be criticism upon the release of prisoners, for many of the important facts upon which they are released are known to the administration only, and without these facts the decision may seem arbitrary and unjust, but the prisoner himself is the only one who should be taken into consideration in determining the question of his release, and no outside influence is allowed to affect the decision of this question.

The standard of the reformatory which must be reached prior to the presentation of a prisoner for permit is not necessarily high or difficult of attainment, nor are the conditions of release severe requirements. They are such as to promote the personal welfare of the prisoner, and are easy of performance if the prisoner applies himself to that end. The form of permit given each prisoner upon his release is as follows:

COMMONWEALTH OF MASSACHUSETTS.

No. —.

Whereas it appears to the commissioners of prisons of said Commonwealth that ———, No. —, who is imprisoned in the Massachusetts Reformatory, in Concord, in the county of Middlesex, upon a sentence that will expire on the ——— day of ———, A. D. 19—, has reformed. Now, therefore, the commissioners of prisons, in accordance with chapter 255 of the acts of the year 1884, do issue to the said ——— this permit to be at liberty during the remainder of his term of sentence, unless said permit shall, before its expiration, be revoked or become void.

The person to whom this permit is issued must faithfully observe the following terms and conditions upon which it is granted:

1. He shall not violate any law of this Commonwealth.

2. He shall not lead an idle or dissolute life.

3. He shall not visit any bar room, gambling house, or house of ill-fame, or associate with persons of notoriously bad character.

4. He shall not use intoxicating liquors.

5. He shall report to the secretary of the commissioners of prisoners by letter or in person once in each month.

6. (Special conditions.)

Dated at Boston this ——— day of ———, in the year of our Lord nineteen hundred.

By order of the commissioners of prisons:

_____,
Secretary.

NOTICE.

The commissioners of prisons may revoke this permit at any time before its expiration. The violation by the holder of this permit of any of its terms or conditions, or the violation of any of the laws of this Commonwealth, shall of itself make void said permit. (Acts of 1884, chap. 255, sec. 33.)

When this permit has been revoked or has become void, as aforesaid, the commissioners of prisons may issue an order authorizing the arrest of the holder of said permit and his return to the reformatory. The holder of said permit when returned to the reformatory shall be detained therein according to the terms of his original sentence; and in computing the period of his confinement the time between his release upon said permit and his return to the reformatory shall not be taken to be any part of the term of the sentence. (Acts of 1884, chap. 255, sec. 34.)

This permit is subject to revocation, and the prisoner may be returned to the reformatory without further trial at any time previous to the expiration of the maximum sentence.

THE REFORMATORY PRINCIPLE.

We believe that the reformatory principle is scientific, economical, and ethical. It is scientific because it inquires into the causes of criminality, promotes a knowledge of criminals, and seeks to remedy as no other principle or system has attempted. It is economical; for, in accomplishing the reformation of the prisoner, it saves the State from the further expense of his rearrest, trial, commitment, and maintenance, and the community losses through his depredations. It is ethical; during the fifteen years of the existence of this reformatory it has challenged the attention of the best people. When we have said to them, you are bound to make the prison for your neighbor's son what you would reasonably want it to be if you could imagine that your own son was sentenced here, they have respected our position. They have admitted that they would demand for their own son, under such conditions, that his health should be guarded; and that within practical limits elementary education should be furnished him; that such industrial efficiency should be cherished in him as might enable him to make a fair struggle for industrial success when released; that in general the great object should be not to make him suffer especially, not to break down his respect for himself, not to disgrace him inefably or to stain him beyond obliteration, but rather to seal him out, if possible, better

prepared for the struggle of life than when he went in, with a fair respect for the government which incarcerated him; and above all things that he should not be so placed that he could hardly avoid going out of prison a worse man, physically, mentally, and morally, than when he was committed. Reasonable people have considered our position, and are more and more constrained to say that it is right; that this is according to their highest ideas of social obligation, and that the teachings of morals that especially command their attention and reverence coincide with our main position; they fit each other; the higher sentiments of which they are conscious are met by what we propose.

So far as we have appealed to the moral nature of the prisoners themselves on behalf of the reformatory system, they have steadily testified, according to their measure, to its correctness. They have had respect for the reformatory system, even when they did not like it. Their own conscience and moral judgment have said that this is right, and the method has commanded their assent because they saw it was right. The united moral conviction of a thousand men, even though they be in prison, is an immense force to deal with, and no prison could be successfully managed in defiance of such a sentiment. The correctness of the reformatory plan is testified to by the officers themselves. Even in the prison congress there has been a notable change as regards the importance of true prison work, and the appeal which that work makes to all good people. This change is to be explained in no other way than that the prison which aims to renew men, to do something more than punish them, to send them back into the world better equipped in health and mind, and especially in character, is a step onward in the history of our commonwealth which appeals to the general moral respect of men.

The following narrative will, perhaps, afford the best means of setting forth in detail the reformatory methods:

A TYPICAL CASE.

John Blank is a typical composite prisoner just committed to the Massachusetts Reformatory. John has been reared in the city of Boston, and one of his parents may have come from any of the many lands which pour their tide of surplus population into our midst; his other parent can trace his ancestry through many generations of our own Puritan stock. John is bright and tough, and, while his features are by no means uncomely, there is a lurking suspicion that all is not honor behind them.

John is more or less of a philosopher, and he has early learned that it is easier and more to his tastes to live by his wits than by his hands. He is somewhat of an anarchist, and the majesty of the law has had little terror for him, and he has reasoned that he is entitled to a share in the abundance of his neighbors' possessions, but in his attempt

to appropriate some of them he was "spotted" by a "cop," who "pinched" him and "lugged" him before the "beak," who gave him an "indef" in the "college." It may be necessary for me to translate this, which in every-day English means: He was caught by a policeman and taken before a magistrate, who gave him an indefinite sentence in the reformatory. There he lands one day in the custody of an officer who has taken the precaution to give his hands little latitude, and has them safely shackled in a pair of handcuffs.

His own importance has been thrust upon him during these proceedings and he enters the guard room with an air of bravado. He has already propounded this conundrum to the officer on the way to the reformatory: "Why is this the fastest train in the world?" and has given the ready answer "Because it will carry me so far in an hour that it will take me five years to get back." But the sight of the steel bars and the presence of the 6½-foot officer who receives him dampen somewhat his ardor and cause his features to assume a rather more serious expression.

The papers from the court ordering his commitment to the reformatory, "there to be kept and governed according to the rules of the same until he be discharged by due process of law," having been looked over and found correct, the committing officer is allowed to depart. Then John hears the command to follow in through the iron gates, which close behind him and which are not to swing outward for him again for many months. A little ticket bearing the number 5,763, to more fully identify John, is given him with instructions to safely keep it. On his way to the bathroom he passes through many corridors and rooms, and now and then he recognizes, among the prisoners whom he sees at work, the face of one who has been familiar to him in days that are past; there is a wink or nod of recognition, and if his ears are especially acute he catches the words "fresh fish" on every side.

The bathroom is a new experience to John and the instructions need to be explicit in order to initiate him into its mysteries. He emerges with much less hair and a very different complexion, and dons a fairly comfortable black suit which has done service for another who has been fortunate in exchanging it for one suitable to appear among his friends again.

John has failed to bring with him a certificate of good health, and it is found necessary to quarantine him for a short period in the hospital, until an examination can be made of him. Advantage of this opportunity is taken under the system devised by M. Bertillon to take and make record of his exact measurements to ascertain if he has previously been identified with any similar institution in the State, and a fairly good likeness of John is photographed upon the card bearing the same. The physician takes the precaution to vaccinate him, which John acknowledges to be the first blood for his opponents. If the

physician's examination is favorable, he then leaves the hospital to make the acquaintance of the superintendent or deputy superintendent who instructs him in the rules of the institution, drawing from him such information concerning his antecedents as he is able, and determining what appears to be the best disposition to be made of him. From the little manual which is placed in his hands containing the rules and much information relative to the institution and the requirements expected of him he learns that he is to be placed under an exacting grading and marking system. He finds that his black suit which was given him in the bathroom indicates that he is in the second or intermediate grade, and that while in this grade he will work in the shops, take his meals in the dining room, correspond with his parents or friends once in two weeks, and have visits from them once in two months; that for each day he has worked and studied well he will receive 5 credit marks, unless they have been taken away for some misconduct upon his part; that if he continues for four months with a perfect record he will receive a bonus of 150 credit marks; that if he gains 1,000 credit marks within seven consecutive months he will be promoted to the first grade, and if he fails to gain 125 credit marks for two months in succession he will be reduced to the third or lowest grade. He also learns that it is possible for him to be detained in the reformatory for five years, but by reaching the first grade and remaining therein six consecutive perfect months and attaining the required standards in his various school and trade-school work it is possible for him to gain his release in one year's time. John's face, which has been wearing a look of seriousness, now lightens up when he reads this fact, and he informs the superintendent that his stay will not be long. He immediately sets off for the workshop, where he begins to last boots, but he comes to his cell at night completely tired out from his vain effort in trying to make the "upper" turn the toe, and with the pain darting from a finger which the hammer wielded by the other hand had mistaken for the peg upon which it should descend.

John having eaten his supper of mush, milk, and bread in the dining room on his way from the shop to his cell, immediately sets out to enjoy the narrow cot which he finds therein, but he is somewhat startled by the quick unlocking of his cell door immediately following the striking of the large gong in the guardroom, and on inquiring, "What is wanted?" is told that there is school for two hours which he must attend before he can retire. He protests and says he does not want to go to school, that he has education enough, although it is very soon discovered after he reaches the class room that the course pursued in one of the lower classes contains much which John has not yet mastered. John finds application very difficult; he can not fix his attention upon any one line of thought for any length of time, and the school immediately becomes a great bug-bear to him. Loss of marks for failure in lessons and inattention comes thick and fast, and he protests that so long as he is obliged to remain in school he can never hope for his release.

On his return from school that first night, after he has retired to bed and the lights have been shut off, tears fill his eyes for the first time, and not until the watch have made their hourly rounds for a number of times do his eyes close to dream of scenes about his home from which he has been snatched away. The next morning he is awakened by the strokes of the big gong. He arises, dresses, and having refreshed himself from the bountiful supply of water which he draws from the faucet at the rear of his cell, he sets out to put his cell in order before leaving it for breakfast. He finds from the rules that the bed must be carefully made, the floor swept and the cell tidily dusted, the chair and the table properly arranged to pass the inspection of the officer.

Again he takes up his place at the lasting bench with a little better success than the day before. After the dinner hour he is summoned into the presence of the superintendent of the trade schools, who tells him of the necessity of learning some definite and valuable trade that he may obtain an honest livelihood when he is again restored to freedom, but the great part which an industrial education is to play in his mental and moral development is left unexplained to him as he is not able to comprehend or realize it. In conversation with him the superintendent has ascertained the place whence he came, its industrial conditions, the trade of his father, and judging his proclivities and capabilities, he enumerates to him the various trades of blacksmithing, tinsmithing, plumbing, bricklaying, plastering, wood carving, wood turning, carpentry and cabinet making, painting, engraving, and printing, and asks him which he most desires to learn. John, who is not devoid of ideas, having watched mechanics many times at their work, is not long in stating his preference, and if it coincides with the judgment of the superintendent of the trade schools, he is assigned to the class which he chooses, or it may be thought best to give him a course of instruction for a few months under the sloyd system before placing him at a definite trade. John enters into the trade-school work with a little more enthusiasm than into the evening-school work, but he soon finds that it requires even more attention and patience to do his work correctly than in the other, and it is but a short time before he expresses a desire to be relieved of this; in fact, everything which requires effort on John's part is irksome and distasteful to him. He sees no sense in the regulations which prevent him from talking to his neighbor, which require him always to keep his coat buttoned up, his hair combed, and his hands and face clean. He looks upon these as petty persecutions arbitrarily set up to make his detention as long as possible, that the State may reap the benefits of his labor.

Almost every night he finds in his room a little pink envelope, securely sealed, which on breaking open he finds to contain a notice of marks lost, numbering 5, 10, 15, or even more, which it has been found necessary to deprive him of for his failure to comply with the rules.

About two months have dragged themselves along with now and then a hopeful day to John, only to be blasted in the next by his failure to

meet some new requirement or maintain himself in the positions which he has reached. Now comes to his room an envelope of a deeper hue, containing a notice conveying to him the information that he has failed to get 125 marks in each of the preceding two months, and that he is thereby reduced to the third grade. He doffs his second-grade suit of black and puts on a suit the color of which would do credit to the robes of a cardinal, it being bright red from head to foot. His cell is changed to a less desirable one, from which the electric light has been removed, and instead of eating with the others in the dining room his food is conveyed to his cell in a tin pan. The library books, papers, and magazines which have afforded him some consolation during the tedious hours which he has had to spend in his cell are no longer left at his door; the letters from home do not reach him, neither is there any opportunity for him to communicate with his friends; no more visits are allowed while he remains in this grade, and his privileges now consist of working in the shop and of eating and sleeping. If his ear be acute he can hear from his cell the shouts of the other grades at play in the west yard, where for an hour and a half on each Saturday afternoon they are allowed to participate in the games enjoyed by the young men of the present day.

Now everything seems to have turned against him; he feels that the most disagreeable tasks in the prison are given to him, and that the officers have all conspired to "down him," and he resolves in his mind that the only thing for him to do is something desperate, which will cause his removal or transfer to the house of correction, which he has conceived to be a place where none of these trivial and absurd requirements are made, and where he can drift in peace and quietness through the few years that he must be detained. Besides, he could receive there that ration of tobacco which the senseless administration of the reformatory have seen fit to deprive him of, and which he believes will bring solace to his soul. So John chooses for his future career to be as bad as possible. He is summoned before the superintendent, who tries to show him the error of his ways and to encourage him to be a better boy, telling him that his conduct is a test of his ability to control himself, and that if he continues in the way he has begun, he will only prolong his stay. But John says it is no use, and that he can not get along no matter how hard he tries. That day he commits an offense for which it is necessary to punish him by putting him in a solitary cell. John says to his bench mate as he passes out of the room on the way to his punishment that he cares nothing for it, and that he can stand on his head for ten days if it is necessary; but upon reflection over night he decides that he would prefer to make another trial to do the right thing. At last, by considerable effort on John's part and the forgiveness of one or two of his derelictions, he is again restored to the second grade to begin just where he started when he came to the reformatory in the pathway of the month which leads to his release. John starts out

the first four or five days with a perfect record, and on Saturday afternoon, when the boys are at play in the yard, it being too cold a day for John's comfort outside, he concludes to attend the meeting in the chaplain's room, which is always held at this time. There he hears many words of encouragement both from the chaplain and from others, and he firmly resolves in his mind that hereafter he will follow out the course which he hears there to be the best one; but this resolution, like all others which John has ever made, soon vanishes from his mind, when he again starts out in the following week, and only a trifling incident has succeeded in thwarting his purpose. At the end of the month John finds that he has lost sufficient marks to again reduce him to the third grade.

While John has displayed these varying moods he is not without many characteristics which are attractive, and it is needless to say that he has made many friends among the prisoners, and, though he thinks otherwise, among the officers also. He has told his difficulties to one of his "chums," a little Italian boy even of younger years than himself, but one who has succeeded in the longer time that he has been in the reformatory in controlling himself for a sufficient period to have reached the first grade. He sympathizes with John and tells him that he will see what he can do. The next morning the superintendent finds a note upon his desk, which has been written with a good deal of effort, and reads as follows:

Please, Mr. Superintendent, give this last chance from the third grade to John Blank. I thought to myself, if I ask Mr. Superintendent to give him this last chance, he will. So I says to John, don't be afraid; I will ask Mr. Superintendent to give you this last chance, and I think he will. So I did.

GEORGE BIMBA, No. 5025.

Who could resist an appeal like this? John had another trial, and taking fresh hope from the encouragement given him, he started in on a better and truer course. The superintendent, as he passes through the different departments looking at the work of the inmates and having a word or two to say to them, notices that John, who at first importuned him at every opportunity to take him out of the trade school, does not now make the request. He finds, from talking with the instructor and looking over John's work, that he is doing very well; then he approaches him and says to him, You have importuned me to take you out of this class for a long while; I have been unable to do so, but now I think I shall be able to take you out and put you at work in the shops all day. Whereupon John says that he thinks he would prefer to stay in the trade school. This is the first victory, and he continues in the trade school, finishing his sloyd work, which has given him fine command of tools, and, as all believe who have watched him, has aided him much in his physical and moral development. He has learned to do work correctly and finds that anything slighted at the beginning of his course shows all the way through, and that the best way to overcome obstacles is to meet them fairly and squarely and not try to

evade them. Much to the surprise of John he finds that he has been able to make two consecutive months with a perfect record, and learns from the rules that having reached this standard he is entitled to attend one of the different society meetings which are held on Saturday and Sunday nights. Here he finds he is allowed to go without the watchful eye of the officer upon him; his door is unlocked and he goes to this meeting as he would if he were a free citizen on the outside. He takes his seat in an orderly manner and listens to a good programme, which has been arranged during the week and printed on the reformatory press, and which is placed in his hands. The numbers consist of musical selections, original papers, and declamations, and John also observes that one of his own number presides at the meeting, acting as president, and commenting upon each selection rendered, thus adding to the enjoyment of the programme. This is a place to which he can aspire himself, should he possess the necessary qualifications and show himself worthy. The last programme contains the name of John Blank, who is to entertain the others by a chalk talk illustrating the trade of engraving, which he is now following. In this way he is able to convey to those who do not have the privilege of the engraving class the mode of operation in that particular trade. This he does in quite a creditable manner, and as he appears night after night it is hoped that he may become quite proficient in speaking before the others.

John's mind is taking on a different turn. At first he could only talk about his exploits, and plan escapes, but now he has but little time to think of these things, as the interest which he manifests in other things has to a great extent crowded them out. He has little time even to look up from his work when a visitor is passing through, as he has the feeling that something must be accomplished. He has no trouble now in giving his attention to a subject and in applying himself. He even looks better; he is straighter than he was, and he is gaining in weight; he looks you in the eye when he speaks to you, and he has a smile for you when you come around. The marks, which were necessary to prod him on to effort, have ceased to be left at his door. On Sunday he finds his way to the Sunday school, a privilege which he did not care to avail himself of at first, and the Sunday service, which at first only appealed to his nature through the singing, is beginning to take on a new interest for him. He realizes for the first time that there are really true and noble lives lived, and the great truths of morality and religion are beginning to occupy his thoughts. Sunday afternoon, which heretofore has been a tedious and disagreeable one to him, throughout the long hours which he had to remain in his cell, has become an enjoyable one to John now, as he has reached the first grade and can spend a large part of it in the first-grade meetings. In these he hears entertaining lectures and addresses by a great variety of people who come from the different walks of life on these Sunday afternoons to speak.

John has discarded the second-grade suit of black which he has worn while in the second grade since coming out of the third grade, and has received his first new suit, which is very respectable in appearance, having a distinguishing chevron of yellow and blue upon the arm, and it is noticed that he wears a necktie, and he has made an attempt for the first time to polish up the red and somewhat clumsy boots upon his feet. His hair is nicely brushed; his appearance is exceedingly presentable, and he is commended by almost every officer who meets him.

John's mother, who has not been able to visit him before this on account of her poverty and the expense incurred in coming to the reformatory, has come at last to visit him. She is a worthy woman, plainly dressed, and she brings him a nicely tied bundle containing a few little nicknacks and some fruit. These are affecting scenes when the parents for the first time meet their sons in prison. Then

I have seen the sad tear in the father's stern eye,
And the mother in bitterness weep for her son.

It was with fear and trembling that this good woman approached and sought admittance, and while she was evidently gratified at John's improved appearance, the tears of a heartbroken mother could not be restrained. There was a new affection that sprang up in John's heart at this meeting. While he had never been without considerable love for his mother he had always been thoughtless concerning it, and it had never before been an element affecting his conduct; but when she left him a resolution came to John that he would endeavor in the future to bring some degree of comfort to her heart.

John now writes to his mother every week and avails himself of the privilege allowed each inmate to send the "Our Paper," after it has been read by him, to her.

The "Our Paper" is a little 16-page weekly published by the printing class of the trade school at the reformatory, and finds its way into the cell of each prisoner on Sunday mornings. There is much selected matter of interest and considerable original matter to be found in it, and this week there is a paper containing a carefully marked article over the signature "J. B." sent to John's mother. It will be seen by the description of John's chalk talk and the article, which has been accepted by "Our Paper," that he has made much progress in school, although at first it was very troublesome to him. John, in addition to his other school work, has been enrolled in the class of ethics which meets every Monday night. Here John meets the ethical questions of every-day life as discussed by the teacher. The ordinary subjects of thought come to him with a new meaning as each subject is always treated under the following heads: The duty, the virtue, the reward, the temptation, the vice of defect, the vice of excess and the penalty. For instance, the subject of John's last lecture was food and drink, the foundations of life, the first concerns of conduct. The *duty* is vigor; to keep the body and mind in good working order; to heed the laws of physiology and hygiene. The *virtue*, temperance, which checks

the free course of appetite and makes a master not a slave; the temperate man the strong man. The *reward*, health; the energy, zeal, and ability of the temperate man because he has a surplus of vitality. The *temptation*, appetite; to eat and drink what we like and as much as we want, instead of what we know to be best for us. The vice of *defect*, asceticism, which sacrifices energy and vitality for the sake of exercising self-control. The vice of *excess*, intemperance and gluttony, both of which degrade men and often destroy them. The *penalty*, disgrace and disease.

These subjects treated in this way have done much toward John's development, and his inattentive and stupid mind is rapidly becoming an inquiring one as the many questions which are continually asked of the instructor verify. After the lecture and one or two papers which have been specially prepared by different members of the class have been read, the subject is opened up for discussion and John is usually found taking an active part.

On Christmas and Easter of each year a card is specially prepared for use at the reformatory, and the little poem printed upon it is usually contributed by one of the members of this class. There is some competition in this matter and usually a number is submitted. This year John's poem was selected. Among the best of such poems written is one by one of John's friends which was written for "Our Paper" commemorating the 19th of April:

AT CONCORD BRIDGE.

'Twas only a mob that gathered there,
At the old North Bridge on that morning fair,
With whispered vows to the listening air,

 Their country to redeem;
'Twas only a volley of fire and lead
Poured ruthlessly into the ranks of red,
And the groaning wounded and voiceless dead
 Lay prostrate by the stream.

'Twas only the faithful sons' reply
To the motherland's imploring cry,
As, nerved by the power of Him on high,
 They braved the tyrant's might;
While from their hearths by that river's side
The yearning mother, the tearful bride,
Looked forth with mingled fear and pride
 On Liberty's first fight.

'Twas o'er full soon, yet annals tell
How in that hour a king's might fell,
And a nation woke from its slumbrous spell
 As rises the wind-swept sea;
And each stern-voiced gun, with startling tone,
That bore the message from zone to zone,
Proclaimed a despot overthrown
 And bade a land be free.

For a long time, while John had been serious and attentive to his work, putting forth every effort to progress as rapidly as possible, there has come upon him an uneasiness which has been growing more noticeable of late. Some time ago John resolved in his mind to live an honorable life hereafter, and he has become sufficiently advanced in his engraving class to feel he can maintain himself honestly. From that moment, when a firm resolution takes possession of his mind that he is to lead a different life, then imprisonment becomes more irksome, and he can scarcely brook the time of his release, he is so anxious for his freedom again in which to demonstrate that he can do right. While he is perfectly aware that his marking now entitles him to a presentation to the commissioners of prisons for release, he seeks at every opportunity the assurance of the superintendent that he is to be so presented. To those who have approached their final examinations in school days the feelings of John can in a degree be realized when he is ushered into the presence of the commissioners of prisons who are to pass upon his fitness for release. It is some days afterwards, however, before John is apprised of the certainty of his release, during which time he has put in not a few sleepless nights. But when the morning comes on which John is told that he is to go into the world again a free man, the control which in the last few months he has shown over himself completely deserts him. He flies about with an unwonted activity, and in his agitation can scarcely sign his name to the receipts which are taken from him for the articles to which he is entitled. After saying good-bye, John goes out into the world carrying with him his permit to be at liberty for the remainder of his term. Dressed in a decent and respectable suit of clothing, he again goes forth to meet his friends and to take his place at the work which has been secured for him by them.



THE MASSACHUSETTS REFORMATORY PRISON FOR WOMEN.

By ISABEL C. BARROWS.

In no country are women treated with greater consideration than in the United States. In the home, the school, the college, and the university, in public life, and in the professions they have opportunities that are equaled nowhere else. The proof of this assertion is seen in the throngs of women in schools of all kinds, in the colleges and universities, which with few exceptions are open for the admission of young women; in the scores of women lawyers, hundreds of ministers who are women, and thousands of female physicians; in the further fact that school suffrage, beginning with Kentucky in 1845, is granted to the women of more than twenty States and full suffrage in four States. Women serve on boards of public charities of cities, counties, and States. They are trustees of poorhouses, almshouses, reform schools, and insane asylums. They are employed as reporters, editors, and managers on all the best journals, and in business pursuits they have wide opportunity in every direction. It is not strange, therefore, in a country where women are treated with so much confidence and respect that there should be special care taken of those who have been so unfortunate as to fall into criminal ways. Though prisons for women are not yet established in many States, still attempts at alleviating the condition of female prisoners are found everywhere, even on the outskirts of the great Republic. Texas, for instance, boasts that it has never condemned a woman to death, and the prison wardens there take great pride in the fact that they have the smallest proportion of women among their prisoners of any State.

Wherever special prisons for female convicts have been established it has been invariably with the idea of reformation. Indiana was the leader, probably, though Massachusetts crowds so closely after, that it is a vexed question which State may claim the honor of originating the idea of building a prison for women. New York and Colorado have also women's prisons, but it is of the Massachusetts Reformatory Prison for Women that the present paper has to speak, since it is by far the largest, the best known, and the one which has been longest under one management. This institution is in Sherborn, Mass., and its history covers a period of twenty-one years.

Perhaps oftener than all else, the force of habit, working through education and tradition and that regard for the opinion of others which constitutes a wholesome

and civilized propriety, is the bulwark that keeps a man from dangerous error. He may sin; he does not commit crime. This applies to most men and with double force to women, and is probably the reason for the proportion of that sex in prison cells. They have too much regard for the good opinion of others. In fact, a study of the reason for the small number of women compared with the number of men in prison should aid us in reaching conclusions as to the prevention of crime. It is not to be thought that because a person belongs to the female sex she is thereby intrinsically less liable to depravity. Yet it is an undeniable fact that she commits less crime punishable by imprisonment. This fact must therefore be due to some peculiarities of the female character and environment—partly, perhaps, to greater timidity, to less independence of action, less self-reliance, and receiving more lenient treatment at the hands of men from motives of gallantry, but largely to a love of admiration and consequent dread of the ill opinion of others.

These are the words of Hon. Philip C. Garrett, chairman of the committee on prison reform of the National Conference for Charities and Correction, in a valuable paper on the "Necessity for radical prison reform," read in Toronto, July, 1897.

There seem to have been men of such gallantry nearly eighty years ago, for in 1819 the sending of female convicts to the State prison was forbidden by law in Massachusetts. The trouble was that the law-makers did not go far enough. They wished to shield women from the evils of prison life, but they provided nothing better for the reception of offenders against the law than county jails and houses of correction. The excellent advice of Mr. Garrett, that the State should establish reformatories for men and for women where there should be individual treatment of all reformable cases—"treatment in which physical nutrition shall have a part, in which medical considerations shall play an important part, discipline for the correction of evil habits a leading part, and in which the whole nature is to be turned from an evil course into good channels"—this advice the public was not ready to receive, even had the leaders of reform suggested such far-reaching plans.

During the civil war in the United States, from 1861 to 1865, no women were more active in the great Sanitary Commission, that did so much work in caring for the physical, intellectual, and spiritual wants of the soldiers, than the women of Massachusetts, and the women of Boston especially. When the war closed, the city was divided into districts and the same earnest and devoted women who had worked for the soldiers now took each a district to look after their widows and children. One of the executive committee having this work in charge was Mrs. Ellen C. Johnson. The district which fell to her in the distribution was the North End, the poorest and most wretched part of the city. The men who had gone from there to the front were not fair representatives of the noble rank and file of the Northern army, which numbered in its hosts the flower of New England and the whole North. The families that the men of the North End left behind them were unthrifty, often intemperate, and sometimes dissolute. In order to find them Mrs. Johnson had to visit not only the squalid and shabby homes where they were supposed to live, but the correctional institutions at

East Cambridge, Deer Island, and the house of correction in South Boston. It was in seeing the sad condition of such women that she became interested in prison reform. The first great want was to aid those already in prison by finding them work when they should be discharged. It is not strange, therefore, that over and over again in reform movements the same names occur and that the band of noble women who first were associated in the Sanitary Commission were afterwards among those who inaugurated the Temporary Asylum for Discharged Female Prisoners, in Dedham, Mass., who were on the prison commission at first as advisory members, then as full members, and that one of them should since have superintended a reformatory prison for fourteen years. It was a fitting and natural progression. Understanding this evolution, one is not surprised that the interest in criminal women which led the late superintendent of Sherborn to get permission from the authorities to go as special visitor to the convict women of Deer Island, long before there was a woman's prison, should have led her to devote her life to them when the opportunity came; nor that one who had gone from house to house in the poor districts of the North End teaching the women one by one to cut and sew, to cook and to save, should afterwards have accepted the chance to teach domestic industry and thrift to hundreds at a time.

But between the time of the organization of the Dedham Home for Discharged Convicts and this chance for any superintendent to undertake such work there was a long time of service. For seven successive years the friends of the measure to establish a reformatory prison for women appeared before the legislature with their petition before it was granted.

One of the early attempts to interest the public in this reform was a meeting held in St. Paul's Chapel, Boston, with the governor, Hon. William Claflin, presiding. Among the speakers were the great prison reformer, Rev. E. C. Wines, D. D., F. B. Sanborn, and Henry Wilson. The secretary, Miss H. B. Chickering, presented the object of the meeting in these words: "Our object is to call attention to the necessity of a separate prison for women, of a separate reformatory or workhouse for confirmed inebriates, and of the State taking charge of young girls who have no legal guardians. Reformation is the prime object, and to this end instruction, secular and religious, is essential."

A memorial was afterwards prepared in which the petitioners prayed "for the establishment of separate prisons for women, under female supervision, with boards of control consisting of men and women of known qualifications for such duty, and that such provision be made by law as will secure a careful classification of prisoners according to degrees of vice, with full opportunity to each class, by good behavior, to cut short materially the length of their sentence; and also that the boards of control may be empowered to hold for each prisoner a percentage of the wages of her labor, to be expended for the personal

comfort of the prisoner or reserved for her future support, or for the use of those dependent on her, so that voluntary industry, frugality, and self-reliance may be encouraged and promoted by a direct appeal to the self-interest of the prisoner." Petitions were circulated and meetings to plan further work in the direction were held.

The first step toward ultimate success was the establishment of a board known as the commissioners of prisons, through which better classification and discipline of prisoners were hoped for. This board was established by an act approved June 18, 1870. The commission consisted of three men, with whom were associated Miss H. B. Chickering, Mrs. Pauline A. Durant, and Mrs. Clara T. Leonard as an advisory board. This advisory board, with full powers of inspection, visited jails and houses of correction once a month. It may well be believed that the condition of the female criminals was carefully studied by these intelligent women. The first thing that seemed absolutely necessary was to separate the male from the female convicts, and the first annual report of the commissioners to the legislature in 1871 presented petitions to that effect.

In looking over the State to see what county prison could best be converted into an establishment for women, the jail of Greenfield was considered the most inviting, as it was in a fine country, with many advantages for seclusion. It was not believed strong enough for men, and at the time of examining it for the purpose of a woman's prison there was but one male convict, who occupied the chapel. A small sum of money was appropriated for making it ready for women, and in December, 1870, it was ready for their reception. Within seven months twenty-two women were gathered together and put under the care of a matron. Up to that time women of all ages, no matter what their crimes, had been treated alike, practically, and had usually been under the care of men day and night. The work provided for the women in Greenfield was the braiding of whip lashes. The matron taught them reading and writing and had a religious service with them daily, and preaching was provided for Sunday. She had no difficulty in controlling them, and the convicts were far better off than when in the common jail. But the county authorities objected to the expense of transferring them and made other hindrances. There also proved to be more male criminals in that part of the State than the commission had been led to suppose, and when seven men and boys were committed to that prison by the courts the attempt to have a separate prison there for women was abandoned.

It was then decided that if there could be no separate prison, where there could be proper classification, the next best thing was to select the county jails which had matrons, and where there were good work rooms and industries, even if only the making of carpet slippers, which was a common industry. The county institutions of Worcester, South Boston, East Cambridge, New Bedford, and Ipswich were selected as

places where female convicts could have regular work under the care of women, and the prison commission tried to assemble them in these five prisons, always, however, with the determination to secure, sooner or later, one institution that should gather them together from the entire State.

It is interesting here to note the influence that Mr. Z. R. Brockway has exerted in behalf of the women of Massachusetts. At the time when the prison commission was using its best endeavors to persuade the people of the Commonwealth that the criminal women of the State should be more wisely dealt with, Mr. Brockway was the superintendent of the Detroit House of Correction. This was known far and wide as a model institution, and the prison commission, or certain members of it, went to visit Mr. Brockway to learn the secret of his success. These were some of the facts that were learned: During the year 1870, 1,165 prisoners were received and 1,237 were discharged, a monthly average of 364. Of the 1,237 who were discharged only 21 had been there over a year, 56 had been there a year, and 803 were in for three months and less. The average time of imprisonment was one hundred and fourteen days. These facts anywhere else would have seemed to preclude the possibility of any financial gain from the labor of such a fluctuating population. But under Mr. Brockway the success in that direction was wonderful. The net surplus for the year was \$5,324.64. The report of the commissioners says:

But aside from making the prison pay in dollars and cents, Mr. Brockway arrests attention and compels admiration by the completeness of his whole system. Besides the constant and faithful service of the chaplain * * * there are 2 teachers who keep evening schools, having from 2 to 4 sessions a week. In the men's department there were held 84 sessions of two and a half hours each, with an average attendance of 97, and the teacher says that the men have learned twice as much per week with instruction on two evenings only as children in public schools with instruction five days per week. But beyond what they have actually learned, there is plainly discernible a change in the bearing of the men, and awakened desires for knowledge and self-culture, and also increased susceptibility to intellectual and moral truth. In the women's department there were 98 sessions of two and a half hours each, with an average attendance of 68, nearly all the women in prison attending school.

Thirty lectures and readings, "carefully prepared and forcibly delivered," were also a part of the system. The result, as seen in the men and women there, commanded the approval of the commission and helped to intensify the efforts in Massachusetts toward securing like advantages for the women of this State. "Compare such things with our practices!" they exclaim energetically.

We have sermons for one hour in the week. Why not follow them up with wholesome lectures? We take great pains to educate all children in the State, make great efforts to compel factory children to attend school—why not have schools in our prisons? Can anyone doubt for a moment the good effect of such influences brought to bear upon our prisoners? And, notice, we bring to your attention, not theories of possible prison management, but facts about a prison that pays.

Mr. Brockway afterwards made several trips to Boston to attend meetings in behalf of a reformatory for women and used his personal influence in favor of this reform.

It was not only the need of holding female convicts apart from male convicts that made a separate prison for women necessary, but that women might be kept from each other; that there might be better classification; that there should be no possibility of such things as were found by the commissioners in their investigations, as, for instance, a little girl, falsely accused of purloining a thimble, held for trial in a jail under the charge of a woman serving a life sentence for murder.

The separation of female convicts and the gathering them into a prison by themselves met with objections from various sources. The keepers of county prisons made of them servants for male convicts, and said they could not spare the women because they were needed to wash, iron, sew, bake, boil, and mend for the men, and if they were taken away they would have to hire outside help. It did not seem to occur to these jailers that the men themselves were quite capable of doing this work for their own prison. The contractors who were employing the labor of women objected to having them taken away from the houses of correction. One of them said that a certain female convict's labor was worth \$9 a week to him, though he was paying but 64 cents a week for her work. The possible gain to the woman in every direction did not weigh, to his selfish mind, against the money loss to himself.

There were in the jails and houses of correction of Massachusetts, October 1, 1871, about 227 women, two-fifths of whom were there for drunkenness, one-third for larceny, one-fourteenth for vagrancy, and one-tenth for crimes against chastity. There was one for murder and one for manslaughter. One-tenth of them all were under 20 years of age. According to the reports of the keepers, these women were harder to manage than men. One went so far as to say that he would rather take care of ten men than one woman. It was evident that restraint alone had no effect in reforming them. "Nor," said the commissioners, "will the addition of a sermon on Sunday and the labor of Sunday-school teachers accomplish the end very often." The discipline afforded by systematic labor was also lacking, though the few intelligent matrons having the convicts in charge knew its value. They used it when they could. It was, however, unconscious commendation of women as able to bear idleness and the resulting demoralization better than men when a matron in South Boston said to the secretary of the prison commission, "When work is very scarce we let the men have it, because it is harder for a man to be idle than a woman." The proverbial mischief that Satan finds for idle hands, in her judgment, came more readily to men than women. But it was believed that men and women alike would find in useful work a means of reformation as well as happiness, and there was never any variation from the claim that it must be provided.

The legislature of 1871, by a resolve, instructed the prison commission

to report upon the expediency of establishing separate State prisons for women. In accordance with that, the commission in 1872 presented plans and recommended the building of one prison for women within 15 miles of Boston. It was suggested, however, by the governor, that the State workhouse at Bridgewater might be converted into a separate prison. A bill to that effect passed the house. In the senate a bill for a new prison was reported, but lost, and the whole matter was dropped.

The committee on prisons again reported unanimously in favor of a separate prison for women, in 1873.

The theories held by the reformers of those earlier days, and which have since become embodied in practical activities, were as broad as one could ask. They say:

Unless there is in the mind of those in authority a purpose to reform and in their hearts some faith in its possibility, and in the whole system of prison management this purpose and faith expresses itself, then little will be accomplished.

The reformation of the prisoner is not a vague, impractical idea flitting in the fog of fanatical brains, but a frequently accomplished fact. And whenever accomplished it has not only pecuniary value to the Commonwealth, but also a value which is beyond computation in dollars and cents.

The need of time to effect reformation was clearly recognized, and as early as 1872 long sentences, especially for those who should be held for drunkenness, was urged. As one studies the system in its present workings the ideas of those commissioners may be easily traced.

Let the whole plan and treatment contemplate and tend to the actual reformation of the prisoners. Let there be evening schools. Let suitable matrons have the immediate charge of the prisoners, while at the head of all these shall be a superintendent. Let the prison building be arranged for different grades of offenders, and make it possible—a part of the system—that by good behavior a prisoner may advance from a lower to a higher grade, where she shall have less rigorous treatment and more privilege. Let the whole be in charge of persons having faith in humanity, that however degraded and hardened, it yet never in this life gets beyond the reach of softening, elevating influences. * * * By instruction you give the mind profitable occupation; you raise the self-respect, a very important point; you are using a powerful lever that actually lifts the women above their old selves.

In the report of the prison commission for 1873 six pages are devoted to the urgency of a separate prison for women. Again they plead for a reformatory system:

We recommend, as we did last year, the establishment of a reformatory for women; the same reasons urged then have force now. The number of women in jails and houses of correction on the 1st day of October, 1872, was 322. * * * The labor of these women is not as profitable as it might be made if they were gathered together. They need, many of them, secular instruction, which can not be given under existing arrangements. * * * They should none of them be under the immediate and entire control of men; they should be classified as they can not now be. They ought to be in an entirely separate prison from male prisoners; they should be trained in some employment that will be of value to them when they come out of prison; and finally, they should be under the control of persons who will labor for their reformation with a patience and perseverance inspired by expectation of success.

For years these had been the reasons brought forward for the separation of women. At last they urge the possibility of reform with more confidence:

Drunkeness and prostitution are recognized social evils. Men always shudder when brought face to face with the fearful facts about them. Go through our prisons and look upon the little clusters of women, stranded upon the terrible shores, gathered together from the brothel and the streets; convicted, this one of theft, that one of vagrancy, the other of being a common drunkard; ruined, lost women all of them; regarded as such, treated as such. Follow in the footsteps of those ladies who for years have been going about among the female prisoners of our houses of correction, talking patiently, advising earnestly, encouraging and reproving; trying every means if only they may save some. * * * Why, when men say that these women can not be reformed they are denying positively demonstrated facts. Under such treatment as is pursued in the House of Shelter at Detroit they are reformed. The records of our asylums show that they are some of them reformed.

We claim most earnestly and confidently in behalf of the poor fallen women, who suffer, many of them, for crimes, when their partners in guilt go free and hold high, unblushing heads, that since their treatment in houses of correction proves, by the admission of the masters—which admission is based on long experience—a failure, that a new plan be tried—new here, but which has been for years, with good degree of success, carried on in England and Ireland; that they be gathered together in numbers large enough for thorough discipline and classification; be kept entirely separate from men; be under the personal control of women only; be detained for a time long enough for reformatory treatment to take effect. And then we do not promise the reformation of all or of any very large proportion. But we do say that many will be saved. * * * In any event, whatever may be determined, it is evident that the present practice of short sentences for habitual criminals works as much harm and as little good with women as with men. We recommend that for all classes of habitual criminals the sentences be from six months to two years, and for a class of vicious girls that have no parental restraint even a still longer sentence—say of three years, or during their minority. There is a class of young girls that can not be properly reached except by their becoming wards of the State.

* * * Women need different management from men; they are more emotional and more susceptible; they are far less likely to be influenced by general appeals or force of discipline, and are more open to personal treatment and the influence of kindness. Individual treatment, personalization, essential to a good degree of success in any prison, is of the greatest importance in a woman's prison.

We do not found our claim for a separate prison for women upon what may or may not be well-founded hopes, but rather on the sense of justice. It is not just or right for a civilized, Christian community to deal with its women convicts as they are now dealt with in Massachusetts. * * * We do not believe that Massachusetts will stand in this matter on the reputation of the past, but rather that she will, as becomes her good name, look carefully at things new and old, and see to it that her prisons shall be, in respect to system, management, and discipline, of the very best.

This earnest appeal was nearing its fruition. It expressed not only the wishes of the prison commission, especially of the women associated with that commission, but of a large public, who were being influenced and educated by meetings and addresses and through the press, as well as by the quieter work of many disinterested women, who continued to gather at intervals in the hospitable parlors of Mrs. Johnson, on Temple street.

By an act of 1874 the prison commission was authorized to select and determine a plan, to purchase an eligible site in the vicinity of the State

house, and to cause to be erected thereon a suitable prison for a reformatory prison for women convicts, with accommodations for 500 prisoners.

The site selected was within the town limits of Sherborn, about three-quarters of a mile from the station of South Framingham, on the Boston and Albany road. The various requirements were here met—that it should be near Boston, not far from the railroad line and a center of population, yet still in the real country, with all the advantages of air, sunshine, and good drainage facilities. The State board of health concurred with the prison commissioners in recommending the site, and the choice was approved by the governor and council.

The bill approved June 30, 1874, appropriated \$300,000 to build this prison. The plans were approved in May, 1875, and the completed structure was accepted in October, 1877, having been finished within the amount appropriated.

The report for 1876 presents a bird's-eye view of the prison buildings and a description of the plan which was followed substantially in erecting the group of buildings. These buildings stand on the highest part of the land purchased for the site, facing southeast, so that the sunlight may reach both sides during some part of the day. The superintendent's house is a two-story brick structure, separated from the prison by an arch driveway, but united with it in the second story by a room built over the arch. The main building runs directly back from the house of the superintendent a total distance of 488 feet. The offices face the house of the superintendent and are in the center of a front of 350 feet. The central body has three other wings, two near the center, opposite each other, and one at the extreme rear of the central body division.

The four grades of prisoners occupy different parts of the prison, all, excepting the lowest or first grade, having rooms with ordinary windows, instead of cells. Rooms for the matrons are scattered about the buildings as needed. There are large, well aired and lighted workrooms, a handsome chapel in the third story, a hospital, a bright, sunny nursery, never lacking little children, though they are not allowed to be there after the age of 18 months, and large dining rooms, together with kitchens with shining coppers, storerooms, boiler and engine rooms and everything needful for the carrying on of so great an establishment. The arrangement of the buildings gives long stretches of halls and passageways, so that to go through them all involves a walk of a mile. The superintendent, by actual measurement with a pedometer, in her daily rounds, walks about 5 miles.

The act called for a prison to accommodate 500 prisoners, but rooms and cells were provided for only 300. A few of the more trusty, therefore, must sleep in congregated wards or dormitories. There are sixteen solitary workrooms, a few punishment cells for the most obdurate, who are so often reached by other influences, however, that the superintendent has rarely occasion to use them. There are about 60 rooms for probationers, 50 for the lowest division, 60 for the second, the same

number for the third, and 54 for the fourth or best-behaved women. The excellent results of the marking system have outrun the expectations of the commissioners who planned the building. The average number of women in Division I being rarely over 9 there are always many empty cells in that wing which can not be used for those of higher grades who are entitled to rooms, not cells. On the other hand there are so many in Division IV that they have to be lodged in other rooms than those originally designed for them.

The cells are bare and comfortless beyond anything necessary for health. The rooms differ in size, according to grade, the probationers having the largest, 10 feet by 12; the second and third, 6 by 10, and the fourth, 7 by 10. The lowest division occupy cells with grated doors, the light coming in through windows in the corridor, while all the rooms have each a window and slatted, wooden doors. The furniture of the rooms is of the simplest description, iron bedsteads, straw ticks, blankets, white spreads, a chair, and toilet necessities. In the highest grade a few decorations are allowed. Everthing, however, is scrupulously clean, like every inch of the great prison. This is the most striking thing about it as one walks through it, the spotlessness giving it a superior air. A visitor from another country who was recently passing through the reformatory was so struck with the gleaming whiteness of the walls, the tables, and the clean floors that he said it did not meet his conception of prisons as he had heard of them in his own land. "Cleanliness is our only luxury, but absolute cleanliness is the first step toward reformation," was the quiet reply of the superintendent. This impression is never absent from the time one enters the well-kept grounds, with their simple but tidy and well-repaired structures of every kind, till he has passed through the lowest cellar and the dimmest corridor—if anything can be dim where electricity at every turn may yield a blaze of light.

The prison was opened in the fall of 1877. The first prisoner sentenced was committed by order of the central district court, Worcester, on the day of the establishment of the prison, and from November 7, 1877, to the end of the year, 117 were received directly from the courts, 129 from county prisons and the State workhouse. The 1st of January there were remaining 240 prisoners and 35 infants. The officers were a superintendent, Mrs. Eudora C. Atkinson; a treasurer and steward, J. C. Whiton; a chaplain, Miss Mary Fosdick; a physician, Miss Eliza M. Mosher, M. D.; a teacher, clerk, and 17 matrons and assistant matrons.

As the prisoners were received they were taken into a room where they were told that the prison had been built through the influence of earnest, kind-hearted men and women, who were sorry for those who had wandered from the right way and who were anxious by every possible means to restore them to a better and happier life; that this place was not designed for imprisonment alone, but for reformation; that it

was hoped this would be a new starting point in their existence. They were told that all privileges consistent with obedience and good order would be allowed them, and the rules of the institution were then read. During that first year 794 were received, 478 being the largest number in prison at one time and 60 infants. The average number was about 365 and 50 infants. The average age was 30. Not more than a hundred of them were sent for theft or larceny. Intemperance and all its brood of disorder and unchastity were the chief causes that brought the women there.

It is interesting to look over the tables and see where the women were born who were the first inhabitants of this prison. Of American-born there were 146; from Ireland, 247; from Scotland, 19; from England, 68; from France, 2; from Germany, 1; from Italy, 1. The remainder were of mixed parentage born in this country.

During the first year 360 were in the prison school, where reading and writing chiefly were taught. For work they had cane seating, finishing socks, machine knitting, corset making, needlework, and mending. There was no farm and no outdoor work for the women. The steward reported the products of the garden on the bit of land under cultivation as 350 bushels of potatoes, 700 heads of cabbage, 40 bushels of tomatoes, 50 of sweet corn, and 15 of turnips. This is interesting as compared with recent reports. The cost per inmate averaged \$2.72 per week. The total amount received from the labor of the women and from "other sources" in 1879 was but \$3,272.68. This too is in striking contrast with figures to-day.

A simple diet was prescribed for these women, so many of whom were fit subjects for the hospital. It consisted of white, brown, Graham, or whole wheat bread and coffee for breakfast every day in the week; oatmeal porridge, bread, and milk for supper every day except Wednesday, when Indian mush and molasses was served. For dinners, stewed beef and vegetables with bread three times a week; baked beans and pork with bread and pickled beets for Sunday, salt fish, potatoes, and bread on Tuesday; pea soup, pork, and bread Wednesday, and fish chowder and bread on Friday. The purchase of the fine farm of 400 acres since then has enabled the superintendent to change and improve the dietary.

The report of the Reformatory Prison for Women for the first year of its existence closes with the reiterated assertion that its object was to reform the women in its keeping. It refers to the work that had already begun in the same direction in Indianapolis, to show that such an object was feasible.

One of the commissioners has, in the course of a western journey, visited the Indiana Reformatory Institution for Women and Girls at Indianapolis. His report of the spirit which he found prevailing among the inmates, and of the happy results of the influence exerted over them, it being known that a large percentage of those discharged are doing well, has greatly encouraged our hopes for reformation from the similar instrumentalities now provided in this prison. (Report, January, 1878.)

It then goes on to show that the same greatly desired results had been attained in a certain degree even in one year's work in Massachusetts.

The first year of the existence of a reformatory prison for women has come to an end and has been marked by none of the catastrophes foretold by those who were faithless as to the success of such an institution. Women have proved themselves entirely adequate to the control and management of women. No disturbance worthy of notice has taken place, and no prisoner has escaped. Turbulent and insolent prisoners have been subdued and reduced to obedience as successfully as if they had been under the control of men, and we believe with better results to the character of those under discipline. A large majority of the prisoners have been habitually orderly and industrious and easily controlled. (First Report.)

The law of 1877 provided that all females convicted of being vagrants, common drunkards, lewd and wanton and lascivious, common night walkers, and other idle and disorderly females should be sentenced to the reformatory prison. Many were therefore sent who were not properly fit inmates of a reformatory, but there was no provision made for the expense of their removal to other places better suited to them. The sentences of many who were suitable inmates were too short to secure real amendment in their lives. These were two points which at once called for changes. Concerning the latter, the secretary of the prison commission, W. F. Spalding, said:

To change life-long habits and purposes and to implant new and better tastes, to strengthen against temptations, to create a desire for a better life, better amusements, and better surroundings, better companionships—this is the work given to one who undertakes the reformation of a large proportion of the criminals. Yet it is sometimes expected that in a few weeks or months all the evil tendencies will be eradicated or overcome and the habits of life will be changed and the prisoner sent out of prison reformed.

The law was afterwards changed so that women convicted of drunkenness a second time might be sent to the reformatory for two years. Though to some this may seem a hardship, yet when it is remembered that the imprisonment is for *reformation* it will be acknowledged that it is not too long a time to be under wise and strict guardianship. But judges did not at first take advantage of this law, and women were sentenced for such short terms that the best results could not be secured. It was also found that many of the women were unbalanced and feeble-minded, really irresponsible, and that they were fit subjects for a custodial department in an institution for the feeble-minded rather than convicts in a state prison, and the commissioners recommended that such women should be kept as wards of the State elsewhere, as they were a hindrance to those who were capable of reform.

The cloud of intemperance has always lowered over the reformatory. The Massachusetts law, which makes possible more arrests for drunkenness than in other places, makes this cloud seem denser, but it is this which settles down most closely and determinedly. The report for 1880 shows that of the 519 committed during the year, 456 were intemperate, so that "it might almost be called an inebriate asylum,"



MASSACHUSETTS REFORMATORY PRISON FOR WOMEN, SHERBORN, MASS.



ROOM CORRIDOR, SHERBORN PRISON.



CELL CORRIDOR, SHERBORN PRISON.



RECREATION ROOM, SHERBORN PRISON.

exclaims the secretary. Of these 456 drinking women 235 were committed as common drunkards. Of the 40 committed for larceny that year only 23 ever drank. A sad feature made apparent by these statistics is that of the 456 intemperate women 319 were married, bringing misery to as many homes, and as a large proportion were mothers the misery seemed to stretch on to infinity. Who could wonder that since outside influences had not kept these women from such demoralization, commissioners and superintendents should have begged year after year to have the sentences stretched out so that there might be time to reform the habits and correct the appetites of these slaves of intemperance. For it was not only the love of drink that had to be overcome, but 26 per cent were suffering from venereal disease in some form and needed long and judicious medical treatment and diet. They also needed schooling, which could not be given in the short terms, for altogether the largest percentage of illiterates was among the common drunkards. It was believed that by teaching them to read and putting interesting books in their hands, one step would be taken toward weaning them from the saloons on their release from prison.

Though the law was so amended that women who were recommitted should be sent for longer terms, yet, as has been said, the judges were slow to avail themselves of this. In 1880 only seven of the 56 who were recommitted were sent for the term permissible. There were 155 women sentenced to the reformatory that year who might, perhaps should, have been sentenced for two years, but as a matter of fact only 24 were sent for that period of time.

It was not the desire of those wishing to have this change of sentence effected to have the women spend all of that time within the prison walls. They say:

It is the aim to release prisoners from confinement when reformation seems possible, requiring that about two-thirds of each sentence shall be served in the prison. The well-understood power of the board to cause the return of the prisoner for misconduct and the certainty that the power will be used induces them to conduct themselves properly. When restraint is removed, they often fall.

The only way to keep them from falling when left to themselves was, it was maintained, to give them freedom for a time under guardianship till they had learned self-control out in the world as well as in the prison. This system, it was believed, would be of special moral help to those who were trying to overcome habits of intemperance and of further value from the fact that if they were ill they could be returned to the prison hospital, where they could be treated without resort to stimulants. The report of Dr. Lucy M. Hall, for many years physician of the prison, that the plan adopted at the beginning of the medical work of the prison of "the almost absolute disuse of stimulants in the treatment of disease had been most rigidly adhered to" was evidence of the need and value of such wise treatment. Indeed, if the statements of the prisoners themselves could be relied on, it would be found that the

great majority of intemperate women, especially of mothers, had used beer and ale first because prescribed by physicians. It was, therefore, peremptory that there should be total abstinence from alcoholic stimulants in medication, and that was better assured in prison than outside.

A law was passed in 1879 authorizing the commissioners of prisons to contract to have any woman imprisoned in the Reformatory Prison for Women put out to domestic service, with her consent, during her term of sentence. The form of contract is simple. The employer agrees to keep diligent watch over the conduct of the prisoner and to have regard for her welfare and reformation, and to report to the board any of her acts which are improper or wrong. It is further agreed that the commissioners may return her to the prison whenever they deem that a due regard for her welfare demands it, and will remove her whenever requested so to do by the employer.

Twenty-two were put out to service the first year under this law, among them some who had passed years in vice and crime, and in but two instances was there any complaint concerning them.

Though not required to do so, the women themselves write frequently to the superintendent or matrons.

In 1881 a law was passed (chap. 90) providing that "when it shall appear to the commissioners of prisons that any person imprisoned in the Reformatory Prison for Women has reformed, they may issue to her a permit to be at liberty during the remainder of her term of sentence, upon such conditions as they deem best; and they may revoke said permit at any time previous to its expiration."

The consent of the court is required if the offense was against the person or against property. Provision is made for returning the prisoner if her "permit" is revoked.

The holder of said permit, when returned to the Reformatory Prison for Women, shall be detained therein according to the terms of her original sentence; and in computing the period of her confinement, the time between her release upon said permit and her return to the Reformatory Prison for Women shall not be taken to be any part of the term of the sentence. (Acts of 114, chap. 152, sec. 2.)

This power of release is used in cases of women who are not suitable to place out in families, including those who are not capable of doing housework, and women who have homes of their own or families needing their care. None are released except from the highest grade. If a prisoner has a perfect record, she is released ordinarily about two months before the expiration of a sentence of a year, and gains a proportionately greater reduction on a longer sentence. Last year 185 were released under this law, most of them going to their own homes. The possibility of being released in this way is a strong incentive to the women to do their best in the prison, and the restraint of a possible return for misbehavior helps them after they are discharged.

Women who go out to domestic service on probation are provided with two sets of underclothes, two cotton working dresses, one wool

Sunday dress, two aprons, shoes, a hat, and shawl or jacket. Each woman receives her own wages, which run from seventy-five cents to two dollars and a half, according to the ability of the woman, beginning with the smallest amount and having 25 cents a month added. When the sentence expires and they are free, they can set their own price or make their own terms without depending on the Reformatory. The list of applications for domestic help is always a waiting list, as there are more places needing help than there are women to send out.

Col. Gardiner Tufts, who was afterwards the greatly respected superintendent of the Reformatory for Men at Concord, was for two months the steward of the Women's Prison. During that short time he enlarged the garden, increased the varieties of vegetables raised, recommended the addition of more land, and with his own hands set out a long line of beautiful trees, a living memorial to that good, wise man, and forming a permanent link of association between the two prisons, which often contain members of the same families.

Mrs. Atkinson remained as superintendent nearly three years. She was followed by Dr. Mosher, who had been the physician, but who was appointed superintendent in place of Mrs. Atkinson. In less than two years she was succeeded by Miss Clara Barton, better known through her connection with the Red Cross. Miss Barton took the position at the request of Governor Butler, who threatened, otherwise, to put a man at the head of the prison. Eight months later, Mrs. Ellen C. Johnson was appointed, as Miss Barton's successor, by Governor Robinson. She was on the point of leaving for two years' absence in Europe, and the appointment was not only unsolicited, but was a surprise to her. She consented to hold it for a year, till there should be time to find a permanent head of the Reformatory. Mrs. Johnson, as has been mentioned, had been one of the active workers in the Sanitary Commission during the war; she had been one of the first to visit the homes of the families left in distress by the departure of soldiers for the field; she had been one of those who helped to establish the Home for Discharged Convicts at Dedham, and had been indefatigable in her efforts to secure this reformatory prison for women. The prison was opened in 1877. Her interest in it and her efforts in its behalf were recognized by her appointment as prison commissioner in 1878, a position she continued to fill until her appointment as superintendent in 1884. Thus for nineteen years of the twenty-one of its existence her name has been attached to the annual report. The law had been changed so that there was no longer a steward, but a purchasing officer with a salary was allowed. Mrs. Johnson, however, never employed any such person nor drew any money for that purpose, but acted as superintendent, steward, purchasing agent, and treasurer herself for fourteen years. The office of teacher was also abolished, and the work of teaching the prison school was given to the resident chaplain, who, in addition, has

charge of the Protestant services. The Catholic women have also the services of a priest.

The spirit and the purpose of the prison have remained unchanged amid all other changes. The status of the institution now may well be compared with its condition when Mrs. Johnson assumed her duties there. A study of the accompanying statistics for fifteen years will show the material advance. The total expenses in 1884 were \$57,163.82 for an average of 284 prisoners. The total receipts were \$7,803.57, making the net cost for each prisoner \$173.80. In 1897 the total expense was \$50,667.55, of receipts \$18,651.31; the average number of prisoners 314, and the net cost of each \$101.96. Here, on the financial side, is a state of things which makes glad the taxpayer and the political economist.

STATISTICS.

TABLE NO. 1.—*Statement of expenditures and receipts for the last fifteen years.*

Years.	Expenditures.			Receipts.	Net cost of support.	Average number of prisoners.
	Salaries and wages.	Other expenses.	Total.			
1884.....	\$19,512.54	\$37,651.28	\$57,163.82	\$7,803.57	\$49,360.25	284
1885.....	21,232.77	30,739.72	51,972.49	11,095.97	40,876.52	260
1886.....	21,967.59	38,670.97	60,647.56	12,133.21	48,514.35	245
1887.....	23,185.56	32,570.62	55,756.18	12,061.31	43,694.87	219
1888.....	23,974.04	35,199.13	59,173.17	11,381.05	47,792.12	216
1889.....	23,376.65	36,548.27	59,924.92	14,044.47	45,880.45	230
1890.....	23,632.81	26,322.80	49,955.61	14,377.98	35,577.63	210
1891.....	23,162.43	27,449.42	50,611.85	12,739.95	37,871.90	196
1892.....	22,456.84	33,564.12	56,020.96	13,635.11	42,385.85	246
1893.....	23,182.69	31,195.36	54,378.05	20,392.65	33,985.40	286
1894.....	24,083.24	31,284.85	55,368.09	16,793.25	38,574.84	289
1895.....	24,493.89	33,936.12	58,430.01	19,248.95	39,181.06	304
1896.....	24,326.99	31,429.48	55,756.47	19,332.41	36,424.06	336
1897.....	24,275.22	26,392.33	50,667.55	18,651.31	32,016.24	314

Cost for each prisoner.

	Gross.	Net.		Gross.	Net.
1884.....	\$201.28	\$173.80	1891.....	\$258.22	\$193.22
1885.....	193.21	151.96	1892.....	227.73	172.80
1886.....	247.54	198.01	1893.....	190.13	118.83
1887.....	254.59	199.52	1894.....	191.59	133.08
1888.....	273.95	221.26	1895.....	192.20	128.89
1889.....	260.54	199.48	1896.....	165.94	108.40
1890.....	228.11	162.45	1897.....	161.36	101.96

One of the industries that has been educational is the raising of silk-worms. One hundred and twenty-five mulberry trees, set out some years since by Mrs. Johnson, make a valuable grove now. Silkworms' eggs are imported from Japan. One year 13,000 cocoons were the result. The feeding and caring for the worms has been an admirable way of employing certain women. One hundred thousand eggs at the time of this writing are in a cold, dark room waiting the time when they may be permitted to hatch. To gather the leaves with the necessary care, to feed so many hungry mouths from the time of hatching till the last cocoon is swung by its silken cables, means the learning of many a

lesson of care, patience, self-control, neatness, and hope. It develops also the powers of observation and of thought. And these lessons are not learned at haphazard, but are inculcated from day to day with gentleness and wisdom.

During these fifteen years the land belonging to the prison has been increased from 75 to about 400 acres. A greenhouse, a poultry yard, and new barns have been added to the equipment. The list of farm products is a great contrast to that of the first report. There were no cows then; now a fine herd of 21 roam over the pasture, and 80,793 quarts of milk, worth 5 cents a quart, makes the item of \$4,039.65 from that source of large consequence. Fifteen beautiful heifers, a flock of sheep, and some swine are also part of the increase. The farm products foot up in value to more than \$12,000, a third of the entire income for the year.

The following table shows the variety of things raised and the value of each:

Farm products, 1897.

67 bushels beets, at 50 cents	\$33.50
15 bushels beans, at \$1	15.00
18 bushels onions, at 80 cents	14.40
18 bushels carrots, at 50 cents	9.00
985 bushels potatoes, at \$1.....	985.00
36 bushels pease, at \$1.....	36.00
63 bushels turnips, at 50 cents	31.50
67 bushels pears, at 50 cents	33.50
Three-fourths bushel peaches, at \$175
1 bushel plums, at \$1.50	1.50
174 bushels apples, No. 1, at \$1	174.00
173 bushels apples, No. 2, at 10 cents.....	17.30
84 bushels tomatoes, at 50 cents.....	42.00
107 bushels rye, at 80 cents	85.60
20 bushels parsnips, at \$1.....	20.00
5 bushels peppers, at 60 cents.....	3.00
344 pounds asparagus, at 10 cents	34.40
375 pounds rhubarb, at 2 cents.....	7.50
301 boxes currants, at 10 cents.....	30.10
993 boxes strawberries, at 10 cents.....	99.30
10 boxes raspberries, at 15 cents	1.50
58 boxes gooseberries, at 10 cents	5.80
6 quarts cherries, at 15 cents90
19 boxes blackberries, at 10 cents	1.90
1,121 heads celery, at 3 cents	33.63
718 heads lettuce, at 3 cents	21.54
230 dozen cucumbers, at 10 cents.....	23.00
4,714 cucumber pickles, at 20 cents a hundred.....	9.43
2 bunches bananas, at 50 cents.....	1.00
1,325 heads cabbage, at 5 cents.....	66.25
839 pounds summer squash, at 1 cent.....	8.39
2 tons winter squash, at \$20	40.00
10 tons pumpkins, at \$5	50.00
298 dozen sweet corn, at 10 cents	29.80
530 bushels corn on ear, at 25 cents	132.50

147 melons, at 10 cents	\$14.70
16 eggplants, at 5 cents80
207 bunches radishes, at 10 cents	20.70
406 pounds grapes, at 2 cents	8.12
198 pounds poultry (dressed), at 16 cents	31.68
2,590 pounds beef (dressed), at \$6.50 a hundred	168.35
2,977 pounds pork (dressed), at 5 cents	148.85
32 pounds lamb (dressed), at 10 cents	3.20
4,554 pounds butter, at 25 cents	1,138.50
2,120 pounds cheese, at 1 cent	21.20
373 dozen eggs, at 25 cents	93.25
80,793 quarts of milk, at 5 cents	4,039.65
160 tons hay, at \$16	2,560.00
12½ tons rowen, at \$10	125.00
9 tons corn stover, at \$6	54.00
61½ tons green feed, at \$8	492.00
12 tons rye straw, at \$18	216.00
1 ton husks, at \$20	20.00
20 barrels ground bone, at \$1	20.00
82 cords manure, at \$7	574.00
25 barrels manure (hen), at \$1	25.00
Sale of flowers	50.13
Sale of pigs	433.00
Sale of calves	7.00
Sale of wool and pelts	13.89
Rent of pasture	10.00
Total	12,388.01

It might be thought that in an institution where so many women are gathered together more actual money might be earned. In the first place, their labor being unskilled, they command small pay. During the first two or three years they averaged for finishing socks 2½ cents a day for each woman employed; for knitting socks, 10 cents; for braiding straw, 3 cents; for knitting mittens, 9 cents; at shirt making, 4 cents; at needlework, 30 cents, and at laundry work, 32 cents. At these prices the aggregate could not be large. Aside from that, it must be remembered that the women, with few exceptions, are physically in a wretched condition. During the time when short sentences were so frequent many a woman spent the entire time of her incarceration in the hospital. Again, many of them are expectant mothers, and can not do hard work. If their babies are born in the prison a long period must be lost from shops or workrooms in convalescence and in caring for the child till it is old enough to be left in the nursery. Another portion of time is lost in teaching them how to do remunerative work. Then the daily routine of housework in cooking, cleaning, and similar occupation absorbs a great many hours, to which should be added the time given for training those who are to go out on probation, for that is the chief work after all. Every woman going out to a place on probation has thorough domestic training. The one great fact that the prison is a reformatory is in itself reason enough for the comparatively small amount that more than 300 convicts earn in a year. If, on the

other hand, a careful study is made of what the farm produces toward meeting the expenses of the institution the surprise will be turned in the other direction.

It is certain that the women are glad to work, and the high marks they receive show that they do their best, each being marked not on what is actually accomplished but from the honest efforts they put forth. It is a concrete illustration of the possibility of accepting the will for the deed. During a certain prison labor agitation in Massachusetts, when it was feared that the women would be left idle, the superintendent put it to vote in the different divisions as to whether they would rather gather in the workroom, observing the rule of silence and quiet, without doing any work, than be busily employed all the day. There was not one who preferred the idleness, and when they were allowed to speak they begged that work might be found for them.

In an article published in the *Boston Herald*, 1896, in speaking of the discipline at the Sherborn Reformatory, Frederick H. Wines, the distinguished prison reformer, says:

I applied to the discipline at Sherborn every known test. I saw no conversation in the shops, certainly less than in a well-governed school. I watched the women in line, those in the first and second divisions clasping their hands together behind, those in the third folding their arms in front, and those in the fourth swinging one arm free and carrying a book or paper in the other. I stood in the halls at night and listened for a sound, but could hear none. I noted the generally respectful manner of the prisoners to their officers; I sat upon the platform in the chapel and again in the rear without detecting a symptom of disorder. Mrs. Johnson told me that she had plumbers from the outside at work in the house for more than a year, and not a prisoner was reported for reprimand on account of their presence. A result like this is not achieved in a day; it is due to constant pressure and vigilance, long kept up; it is a growth.

Let us see how this excellent discipline is assured. In the superintendent's report for 1896 she was asked to describe the method of receiving convicts and the system of classification and marking. Her report enables one therefore to have this system from her own pen:

When a woman enters the prison she comes in charge of an officer, who delivers her to the superintendent or deputy. The mittimus sent with her states the crime of which she is convicted, but as a rule this mittimus is not critically examined by the superintendent, that she may be able to deal with the prisoner unbiased by any previous knowledge of the past. After the usual inquiries as to name, age, nativity, and ancestral history, the prisoner is taken to the bathroom, where she undergoes vigorous treatment with soap and water, dons the prison garb, and goes to the dispensary. Here a thorough examination is made as to her entire physical condition, and the results are recorded in a book, together with any marks or peculiarities which might aid in identification.

She is then placed in a department called "probation," where she remains usually for one month, secluded from the companionship of her fellow-prisoners, visited only by the superintendent, physician, and matron in charge, but under constant watchful control. She is provided with work and with reading matter, and for daily exercise she performs some active labor in a part of the prison near her room, while the other prisoners are at their duties elsewhere. The purpose of this probation is that those to whom the prisoner is intrusted may have opportunity to learn her

illiterate and under a short sentence, though this privilege is usually withheld until Division III is reached. Work is rated, not by the amount accomplished, but by the spirit and temper of the worker. No stents are imposed, but it is required that whatever is done, be it much or little, shall be perfect in its way.

Membership in Division III confers privileges additional to those of Division II. Its members are designated by gingham dresses with three stripes. They begin regular attendance upon the school, they are allowed to write a letter once in two weeks, and may, if they desire, join the club belonging to that division.

But the hope and effort of the prisoners center in Division IV, the highest in point of rank and privilege, and everything is arranged with a view to foster this feeling. The dress, like that of other divisions, is of blue gingham, but its four stripes show the wearer's rank. The sleeping rooms of this division are pleasanter and less cell-like, and the occupants are allowed the electric light on certain evenings. The crockery in Division IV dining room is perfect in condition, the imperfect dishes being reserved for the lower divisions. Tea is given in generous allowance on four Saturday nights in every month, while in Division III it is given but three times, in Division II twice, and in Division I once. Butter is also provided every Friday morning.

The members of Division IV are permitted to write a letter every week, and special recreation privileges are allowed, a temperance society managed by the women themselves being one of the most valued and beneficial. In this division, moreover, there are two grades, one composed of those who have attained it only after repeated trials and downfalls, and the other of those who have gone through the successive divisions with a perfect record and have manifestly endeavored to make the most of their opportunities. These latter are designated by a special badge (a tiny knot of red ribbon), and are known as "trust women," being allowed considerable freedom and entrusted with certain responsible duties. They also receive some special privileges, such as tea every Saturday night, letter writing once every week, and front rooms having a wider outlook than those at the back. It is very rarely that one of these women betrays the trust reposed in her, and the sense of honor thus cultivated, as well as the tasks in which she is trained, constitute an excellent preparation for the time when she shall be again a free woman.

The result of this healthful strife for a prize which all may win is shown by the fact that the higher grades contain by far the greater number of prisoners, the average number in Division I being only 9, while the badge or trust women number 111 out of an average population of 336.

The benefit of this system becomes apparent, also, in the brightening face of the prisoner as she rises from grade to grade, in her growing ambition to attain the highest rank in her little world, and in the cheerful perseverance with which she executes her daily tasks. A healthy, moral atmosphere is recognized as another efficient aid in the work of reform, and the members of all the divisions are required to attend daily prayers held in the chapel at 6 in the evening.

On Sunday morning the village priest says mass in the chapel at 7, Protestant service is conducted at half-past 8, a general Sunday school is held at 1 o'clock in the afternoon, and a special Sunday school for Protestants in the school room at 2. In the evening at 6 the women assemble in the chapel again to listen to an address by some clergyman from outside, or a praise service is held in which the prisoners join heartily, thus making five regular services on Sunday. On occasional week-day evenings the women are assembled in the chapel for an entertainment, musical or literary, sometimes given by talent from outside the prison and sometimes prepared by the women themselves. Every effort is made to keep the prisoners cheerful, hopeful, and resolute in their purpose to reform, and at the same time to relax nothing of the discipline and to hold them always under perfect and instant control. This is usually a matter of no essential difficulty, for a prisoner is quick to recognize and respect the moral power that compels obedience. In her progress from probation to Division IV the prisoner comes in contact daily with many matrons and officers who

differ necessarily more or less in the spirit with which they govern their various departments, and this variety of temperament affords in itself no mean discipline in self-control.

In deportment, a reprimand is generally sufficient to prevent the repetition of a slight offense. A deliberate breach of discipline is punished by the loss of one or more credit marks, placing promotion correspondingly farther away. The loss of 10 credits forfeits one day of what is called "commuted time," a remission of three or more days in each month allowed by law to every well-behaved prisoner. Punishment in case of an ordinary misdemeanor is light for a first offense, and increases in severity with each repetition. For example, improper conduct at the table, any violation of the rule which requires silence and respectful behavior during meals, is punished by obliging the woman to eat alone in her room for three days. For a second offense her solitary meals are continued for a week. The punishment, like all others, is cumulative. Of course grave misdemeanors call for severer penalties, and a spirit of persistent disobedience is sometimes repressed only by confinement in a solitary work room. This is a lighted room 10 by 12 feet, where the prisoner can have her work, receives her usual food, and lives much the same as before, except that she is deprived of the companionship of her mates, and is allowed no books except on Sunday. It is a simple but wonderfully effective punishment. Extreme cases of insubordination, destroying State property or threatening life, is punished by what is known as solitary, which can be made either light or dark. No restraint is imposed beyond the mere confinement, and the fare is bread and water. The prisoner is released as soon as she asks to see the superintendent, and declares her penitence and her determination to conform to rules—this state of mind being precisely the object aimed at in the whole system of prison treatment. The "dark solitary" is a punishment seldom called for. Experience teaches that physical causes have always to be taken into account and are responsible for many of the outbreaks among female prisoners.

One of the privileges granted to the two higher divisions is that of having clubs. Division III has its club on Thursday night from 7 to 8 o'clock. The matron of that division is the president, but a prisoner is chosen vice-president and a new one is elected every month. She presides at the meetings. One of the prisoners is also secretary. The matrons see that everything that is to be presented is suitable. Sometimes these meetings are turned into helpful experience meetings and the members are allowed to tell of their trials, which are often interesting. This division has also two evenings in the week in school.

Division II has only one school night and no club.

Division IV has every night engaged in some way, except Thursday, which they spend in their rooms, with an electric light burning till 8 o'clock by which they may read.

The average age of the prisoners, as given by themselves, was for several continuous years 28, but it is probably a little under rather than over that, especially if a few of the older ones are left out of the computation. They are at least still young enough to respond to the efforts made for their reformation of character and many of them do.

Since the women have been fitted to go out into families as domestic servants and have been entrusted away from the prison before the expiration of their sentences, they have proved themselves, in almost all cases, so worthy of confidence that the superintendent is unable to meet the demand for such helpers in families. As a whole, this method has been a great success, and in individual instances the success has been striking, the satisfaction being triple—that of the employer, of the woman in place, and of the superintendent who has fitted the woman entrusted to her charge for a life of honorable industry.

Letters come from these women telling how "splendid" their places are, how the people treat them, what confidence is placed in them, and of the pleasures of living on a farm, for they go as a rule to country places. One wrote that in the family where she was working they let her take care of the father, an old man of 80, a paralytic who could do nothing for himself, and she said that she was so gentle with him that he would rather have her do things for him than anyone else. This woman is saving her money to buy herself a little home, and has already \$100 toward the necessary sum.

Another has been nine years in one place, and is so much trusted that when the people go away for trips she is left in command of the house.

From various sources the following extracts of letters from women who have been inmates of the reformatory have been obtained. They were written to officers of the institution.

I thought of you all my times Christmas day and could see the girls enjoying their dinner of good things. I often wish I had lots of money that I could send them a treat on some holiday. If I had plenty of wealth my whole time and money would be spent helping unfortunates. What little I can spare now goes to help some who are less fortunate than myself.

I was glad to hear that the temperance meetings were so good. I think of them every Monday night. . . . I was kindly received by my family, and my mother says that she shall never regret the time that I spent [in the reformatory].

I feel very happy in my new home. When I have time I go out on the farm with the two dogs; they are all the acquaintances I have made. They are both fond of me and will be true friends.

Tell all the girls for me to get a place if possible on a farm. We have thirty cows and I have charge of the dairy. I am so glad I learned to do dairy work at the prison. I churn every day and my mistress says they have never had better butter.

I am in down right earnest this time about doing well, as I think I have had imprisonment enough for to last me all my lifetime, although I am not sorry I received this year, as it has opened my eyes and I have learned a great many things I never knew before. I am now making coats and I can baste and stitch any part of them. I can make white shirts and I can run a machine both by steam and foot power. So you see there are things worth learning here and I can turn my hand to them when it is necessary. I am also studying interest and percentage, and I really have learned more in four weeks here than I learned in six months at school.

DEAR MRS. J.: I received your kind and welcome letter and was very glad to here from you and also from the Dear pet lame. I have the pleasure to tell you that I am working and I like my place very well because I do as I please the lady never boders me and they have a nice large Deary and they make about 100 and 50 pond a week and they get 50 ct. a pond it is very nice it is just like ours that we use to make. O it is so nice to be free that I can assure you that will try and never forget the to Year to gone by. as for Mother she is not well and I try to my very best to comfort her. . . I will ask the lady to write a few lines so as to have you feel that I am telling the truth. I must go to make my supper so I will Close from your true and affectionate friend.

Upon which the lady wrote:

X. has worked in my family about two weeks. She came a stranger to me. She told me her story and where she had been for the last two years, which has been

the making of her, I hope. She has been a very good girl so far. I hope and pray she will never turn back to the wicked ways.

The employers are also generous in expressions of appreciation. The following extracts from a recent letter is a fair sample of many that are received:

I thought perhaps you might like to know that X. is going to remain with us. She has given perfect satisfaction and is the best girl with children that we ever had. She has behaved herself in every particular and has not given us the least bit of trouble. I don't know how long she will stay, but when she goes shall come for another. I consider your office the best one that I have found.

All the girls you have sent me, but one, have stayed their full time and some of them a longer time, so I am sure will send me the best you have. * * * You remember X., who came to me two years ago. You will be glad to know that she is thoroughly reformed, is married, and living in X. I frequently hear from her.

That some of them at least appreciate the efforts made in their behalf, the two following items written by prisoners within the gates give evidence:

No one outside can have more than the remotest conception of her (the superintendent's) work here, of its weight of care, or of her executive ability and her great influence. Her heart is just overflowing with kindness and charity. She unites mercy with unflinching justice as I believe very few could.

In behalf of Division III Temperance Club I wish to extend our hearty thanks to you, Mrs. Johnson, for your kindness to us Thanksgiving Day and for the pleasure that you gave us also in preparing so pleasing an entertainment.

Occasionally a woman goes out and marries the man to whom she owed her downfall. Others find husbands on the farms where they work. There was one encouraging case of a couple who had expected to marry but instead one drifted into the Concord Reformatory and the other into Sherborn. The man was a tailor. With his own hands he made a beautiful jacket which he brought to the prison when the woman's time expired and she was allowed to wear it away. They were married and live in a neighboring city, where she proves a most helpful care taker and excellent wife. They have adopted two beautiful children, and once a year they go to the prison to show their children and to encourage the superintendent and other officers by their continued good life.

A letter from a similar home says:

Dear friend thinking of you to-day after coming home from meeting I thought I would write you. * * * I have got a good man, don't drink or no bad habits. My husband and I live out on farms my man has money in Bank and sometime we will go housekeep when we can buy a home of our own. * * * Your place was a making of a good woman of me. I go to meeting every Sunday and do just as my husband wants me to do and we live happy together.

There is never a time when among the convicts there are not one or two women of culture and education. One of these, in referring to a long experience there as prisoner, thus recalls her impressions of the prison:

Very first impression, a little indignant at being left on a bench in the hall (I can smile over it now); a general sense of orderliness about the two offices and in the manners of the matrons passing in and out. In passing through the corridors and preparing for probation an increased sense of the order of the place and a feeling of great satisfaction that it was all so clean, also that the receiving matron was a lady.

In probation the same satisfaction in finding things clean, but it seemed utterly impossible to ever live with so little water, so few towels, and other things that seemed to me necessary to existence; a feeling, too, that I never could eat from a tin plate; but that too was clean and the bread was good.

As the days went on through probation, a feeling that being shut up indoors was far worse than having to eat from a tin plate; that I would give anything in all the world for some of my own books; that the superintendent's visit either made me very blue or on other days very hopeful.

In Division II that the women were simply terrible; that they were hardly human; that the patience of the two matrons was wonderful and their discipline perfect, and that they managed differently for her best good every individual woman in the division; that the two worked together perfectly. After many weeks a gradual sense that the women were human; that there was a rough kindness, some sense of appreciation of the things done for them here, among almost all of them. I began to feel an interest in them. It began to be a pleasure to feel that I could keep one group of women from more harmful talk by telling them stories or picking out library books. I left Division II with a broader view of things and people, a more generous—or perhaps charitable is the word I want—view of life than I ever had before, and with a feeling that I could trust the matrons; that they had the good of each woman at heart and that this whole place was almost perfectly managed.

One thing that impressed me from the very first of my being in Division II was the attention paid to the smallest detail by the superintendent and deputy in particular and the wonderful executive ability.

In Division III the world began to change. I began to know the place better. I began to find both more of bad and more of good in the women. Many, many—indeed most of them—were not hopeless. They are coarse, vulgar, but not all bad. They are generous among one another; many of them are truly fond of their matrons; they do appreciate kindness. They value the flowers in chapel on Sunday. One not very well behaved woman said, and she meant it, 'I'd like to be good just to let Mrs. Johnson know it.' To sum it all up, the place is to me a reformatory, not a prison; clean, orderly, systematic, managed and governed with a judgment that is beyond criticism.

It would have been impossible to secure all the good results that have been shown had not the principles guiding the institution been felt to a certain degree by matrons and assistants as well as by the prisoners. Undoubtedly there have been in all the twenty-one years officers who had not a full appreciation of what was being attempted, but there have always been enough who have had intelligence and sympathy to make possible the great measure of success that has been attained. In spite of many changes in the working force, the book of appointment shows a large number who have been on the roll for years. Mrs. Frances A. Morton (now superintendent) has been connected with the prison since 1881; the clerk since 1879. Glancing down the pages of this record book we find one farmer who has been here since 1888, another since 1885; the engineer since 1885, a matron since 1879. Indeed, there are

many whose appointments date back to 1877, 1878, 1879, 1880, 1881, and from that time on, who have been in continuous service except for periods of rest and vacation, and whose names are still on the roll. This contributes to harmony and uniformity of discipline.

It is this that gives the casual visitor the impression that everything runs so smoothly that it must be easy to manage a prison. He wonders that he never hears a command, a loud voice, a hasty word. When he sees the instant heed given to the low-toned hint—for it is hardly more than that—the quick obedience to a glance of the eye, he is convinced that the discipline of the place is about perfect, especially as the women do not look cowed, but many of them have an air of self-respect and new-born dignity, as though they shared the responsibility of maintaining the discipline of the prison. It is only in the lowest division that this spirit seems to be lacking. It shows itself more and more in the bearing of the women, in the hopeful look on their faces, as the higher divisions are reached. It is doubtful whether the members of Division IV ever had as much reason for self-respect in their antepreison life as since they have won their position in the highest grade by hard battles with besetting sins and temptations. They are encouraged to fight this battle for self-conquest, not for selfish reasons, but for the help, comfort, courage, and happiness it may give to others. Two years ago, when they were discussing the coming of Christmas and wondering what presents they could give to each other and to their friends, Mrs. Johnson told them that she would like to have a present from her women of a perfect record from the first of October till Christmas Day. They accepted the suggestion, and for her Christmas gift the superintendent received 196 cards—from Division I, 14; Division II, 58; Division III, 44; Division IV, 80—each bearing the name of one woman and the words:

A perfect record from October 1. A merry Christmas to Mrs. Johnson.

No people are more sensitive to culture in their superior officers than are prison women. As they are the first to detect hypocrisy, so they are the first to detect the lack of self-control, which quickly shows the difference between the lady and the would-be lady. It is for this reason, as well as to have constantly good models before the prisoners, that the superintendent of a women's reformatory should be herself in the highest sense a gentlewoman, and the matrons and assistants should belong to the gentle and cultured class. That is not easy to secure, but with some exceptions the Massachusetts Reformatory Prison has been fortunate in her subordinate officers and always happy in the superintendents. And what is true of Massachusetts is probably true of all the other reformatories for women.

The physician, with the assistance of an unpaid interne, has the care of the hospital and attends to the work of the dispensary. The chaplain reads evening prayers, conducts the Protestant services on Sunday, looks after the library, and teaches in the day school. The law which

gives the appointment of the chaplain and the physician to the governor of the State is deemed unwise by many, as it tends to make them coördinate with the superintendent rather than subordinate. Concerning this, Rev. F. H. Wines says:

The physician and the chaplain are the superintendent's right and left arms. The superintendent is the head, and there can be but one head. The treatment to be given to prisoners in a reformatory is threefold. It is addressed to their bodies, minds, and hearts. It includes labor, education, and religion. It requires to be coördinated and subjected to the limitations imposed by law and by pecuniary and disciplinary considerations. No one can do this but the superintendent; the chaplain and superintendent are and must be subordinate to him, but in harmony with him and he with them. This is peculiarly true of a prison for women, who are so sensitive—so responsive to influences which affect men but slightly, if at all.

The laws guiding the administration of the reformatory are as a rule, however, so just and well adapted to the necessities of the community that there seems little need of change aside from this. The superintendent in one of her last reports makes two suggestions:

I desire to enter a plea for the children who are committed to prison with their mothers. The humanity of the law, which forbids a little child to be separated from the mother upon whom it is still dependent, ought also to take into account the responsibility of compelling a child to begin its life in prison. Children are often committed with their mothers when already past the nursing age, and it sometimes happens that a woman has with her two children—one committed with her and one born in prison. The impressions made upon a child by his surroundings become permanent at a much earlier age than is generally realized. Inheritance has placed limitations enough upon these little ones without the added burden of prison life as their earliest memory.

I have before called attention to the increasing number of degenerates committed to our charge. The pressure of prison law must bear equally upon all, and these women, weak in body and in mind, are here compelled to come under regulations which they are utterly unable to comprehend or obey. The asylum, not the reformatory, is their proper place.

Among the humanizing influences of the reformatory are the beautiful pictures with which the walls of the chapel are hung, the cut flowers and blooming plants which decorate the platform and desk every Sunday, the cheerful recreation room of the highest division with a score of canaries flying at large among the plants, and, above all, the library of 122 volumes, well chosen and well used. Every woman has a pocket on the outside of her dress skirt large enough to contain a book of ordinary size. Here she keeps the library book which on certain days she draws for her own pleasure. This she is encouraged to read whenever she has a moment of leisure. When waiting for work or if, as sometimes happens, the work is not supplied in sufficient quantity to keep every woman busy all the day, they are at liberty to take the book from the convenient pocket and go on with the interesting tale. There is probably no prison in the world where the love of reading is fostered as here, and it is not encouraging a taste that can never again be gratified, for there is hardly a town in the Commonwealth that has not its public library, which, like June, "is free to the poorest comer."

The taste for reading is sure to be a help to these women in the lonely farm life to which they may next turn, and it will be always a safeguard wherever they go. The singing of hymns in chapel and rehearsals for such singing are also helps toward better thought and better life.

The rearing and maintaining of this reformatory prison may be truly ascribed to the inspiration and patient labor of some of the best men and women of the State. It may be regarded in a special manner as a monument representing the work of women for women. It would be impossible to name all who took a living interest in this work, aside from the able secretaries of the prison commission, who never failed to set forth in strong terms the need of this prison. Yet it seems only fair that such names as Mrs. Horatio Chickering, Miss Hannah B. Chickering, Mrs. Henry Poor, Mrs. Pauline A. Durant, Mrs. Clara T. Leonard, Miss Abby R. Loring, Miss Emma F. Carey, Mrs. Eliza L. Homans, and the devoted Mrs. Mary G. Ware should be held in grateful remembrance whenever the beginnings of this institution are mentioned.

As a close to this outline of the origin, creation, and working of the Massachusetts Reformatory Prison for Women, it seems appropriate to reproduce a brief paper read before the National Prison Association at its annual meeting in Austin, Tex., in December, 1897, by the late superintendent, Mrs. Ellen C. Johnson, whose ideas on prison discipline can be better set forth in her own words than in another's.

The principles here enunciated she exemplified in her daily administration of the prison to which she devoted her life from its inception till her sudden death in London, England, June 28, 1899. Let her own works praise her in the gates.



BAKERY, SHERBORN PRISON.



SHIRT ROOM, SHERBORN PRISON.



NURSERY, SHERBORN PRISON.



CHAPEL, SHERBORN PRISON.



ELLEN CHENEY JOHNSON,
LATE SUPERINTENDENT MASSACHUSETTS REFORMATORY PRISON FOR WOMEN.

PRISON DISCIPLINE.

By Mrs. ELLEN C. JOHNSON,

Late Superintendent of the Massachusetts Reformatory Prison for Women.

What is our understanding of discipline in the home or in the school? We understand it to be that course of treatment best suited to educate, to develop, to train the faculties—mental, moral, or physical—of those whom we call disciples or learners.

Why is discipline needed in the home or in the school? Because those who come under its influence are still in process of a development which must be guided and encouraged in order to attain its highest form.

In what way shall discipline be administered? Line upon line with patience, with firmness; after careful study of the individual, with judicious adaptation of methods to temperament. This is the discipline of life for ourselves.

Why should prison discipline differ from it? Those who come under the care of the State as sentenced prisoners come there because they have not yet learned self-discipline; they have not learned the lesson of citizenship; because in some way or degree they are still undeveloped or wrongly developed. It is the first duty of the State to teach them those unlearned lessons of citizenship, to correct the neglected or perverted training which has brought them where they are.

The words "prison discipline" are commonly applied to the methods used to secure order in a penal institution. There can be no difference of opinion as to the importance of maintaining perfect order in a prison, but the methods used will vary; no two institutions will be governed in just the same way; no two officers will bring to their work the same spirit or the same theory; each will work out for himself his own method; and the most important factor in that method will be, not a system of rules, however complete or judicious, but the personality of the governing officer.

The essential thing in prison discipline is that it shall have for its end the good of the individual prisoner, rather than the upholding of a system, or the exemplification of a theory. When we stand immovably on this principle, government by repression alone will disappear from our prisons, and our methods will fall naturally into harmony with the true meaning of the word discipline—a teaching, a training, which shall present to the untaught and untrained prisoner not only the majesty of

law but the beauty of right doing. How shall we teach this? As we teach it to our children—by example, by precept, by thoughtful study of the individual, keeping always before us the cardinal principles that the order and quiet of the prison must be maintained at any cost. That this training is desirable, few will deny; that it is possible, one illustration will show.

Three hundred young prisoners are allowed five minutes for general conversation at the close of a public exercise. Very few tongues are idle when such an opportunity offers, but at the tap of the bell on the superintendent's desk every sound stops on the instant. There is no tapering off in the volume of conversation, no scattering words falling on the silence here and there. The hush is absolute and instantaneous. Could the tongues of three hundred women outside a prison be silenced by the stroke of a hand bell?

This shows either a marvelous consideration for the wish of the presiding officer or it shows a good degree of such training as I plead for.

The study of the prisoner as an individual will suggest her needs by revealing the defects of character and training which have made her what she has become. She sinned, perhaps, through a weak will, an undeveloped intellect, a perverted conscience, untrained instincts, ungoverned passions, one or all, but in any case the thing to be dealt with is not the particular crime for which the woman is sentenced, but the character which has made it possible for her to commit that crime.

Discipline should aim at change of character rather than at change of behavior, otherwise we rule by repression, by fear, and if a woman does right because she is afraid to do wrong, how long will she continue to do right? Until she has passed beyond the reach of the authority she feared and is subjected again to the temptations under which she fell at first. Discipline is sent to us all that we may learn how to live, soberly, righteously, unselfishly, and society at large is deeply concerned in a prison government which shall teach its prisoners these needed lessons, for only so can society be secured against an endless and hopeless increase of crime.

When we appreciate this point, prison discipline becomes a matter of far greater importance than when we regard its purpose as merely to prevent outbreaks or to maintain obedience and good order within the walls. It can not be too frequently nor too strongly stated that order and obedience—prompt, absolute, unfailing—must be maintained at all cost; but sullen faces and furtive looks do not suggest the true idea of discipline. Forced obedience is not obedience. Compliance with authority must be intelligent and willing, or we shall never gain the best results, and it will not be willing unless it is intelligent. It is easy to compel the surrender of a refractory prisoner by the infliction of sufficient punishment; it is easy to make a woman fear to disobey, but is not easy to so change her point of view that she will choose to

obey, that she will repress and control herself regardless of penalties, and even if there were no penalties. But it can be done, for it has been done times without number.

In bringing about this result I consider time a most valuable factor. A weak, excitable woman has often a sense of justice and a fragment of self respect, which, if allowed time and quiet in which to assert themselves, will hold in check her nerves and passions and bring her to a proper state of mind without the violent intervention of authority. In such a case the battle thus won gives strong assurance of final complete self-conquest, and when we all have conquered self we may close our prison gates forever.

As an illustration of the importance of taking time in ordinary cases of discipline I might mention a recent experience of my own. When the prisoners receive their bread at the table at mealtime the loaf is cut and the pieces laid by the plates in order. The two end crusts are placed where they happen to come, and each woman must eat the crust when it falls to her share. One night a prisoner refused to eat her crust. As usual in such cases, it was marked and put away for her breakfast, but she refused again to eat it, and showed such a spirit that I was obliged to call her to my office. At my first mention of the subject she began in great excitement:

"You needn't say a word about it. I won't eat a crust; I won't; I won't; I won't," and so on, raising her voice and fairly jumping up and down in a frenzy which every word of remonstrance increased. Finally, I succeeded in telling her that she was talking too loud, and that she was not in a condition of mind to know just what she did want to do. It was then 8.30. I advised her to go to her room, where she could be quiet and alone, and could decide for herself what was her wisest course, and at 11 she might come to me again and tell me how she felt. At 11 she came back quiet and sensible, disgusted that she had, as she said, "made such an exhibition of herself," and ready to do anything or eat anything to prove her change of spirit. She had conquered herself simply because her better nature had been given time to assert itself. If the matter had been pushed when she first came to me she would have ended in punishment.

Of course there are emergencies in which delay would be fatal to discipline—in which authority must be upheld and prompt obedience enforced at any cost. No rule can be applied without discretion, but I am convinced that in a large majority of cases it is an important thing to allow the offender time for reflection.

Assuming, then, that prison discipline should be, like all other discipline, training for character, it is essential that teacher and taught should be in harmony with each other. It is not easy to bring this about, especially if the training process entails, as it often must, experiences highly disagreeable to the prisoner. She does not readily believe that you are working for her interest. She is prone to think

that she is being forced into an obnoxious routine, involving cleanliness, attention, industry, and respect, all of which are foreign and distasteful. She learns with infinite difficulty and with many lapses that she must obey, not only that she may avoid unpleasant personal consequences, not only because as a matter of policy it pays, but because it is right, because the things that are required of her are the things that make for justice, for order, for happiness, and for the good of the public, of which she is a member. It is, however, of the very highest importance that she should learn this lesson, for the prisoner who obeys because it is the best policy, like the man who is honest because it is the best policy, can not be trusted in an emergency. I venture to refer again to the importance of studying the prisoners as individuals—of learning their special defects—that we may apply, if possible, special teaching. The causes of crime are manifold—lack of early training and feeble will, weak moral sense, selfishness, impulsiveness, failure to see the relations of causes and effect—but whatever the individual needs it is the duty and policy of the State to supply, as far as possible, before the prisoner is sent back into society to grapple with her old enemies. She must be led into habits of industry and self-control, for these are needed to make her a better citizen. She must learn to do right without compulsion or she will cease to do right when the compelling force is removed. If I am correct, then, in my belief that prison discipline is a process of training by which an offender against law is brought into a spirit of obedience to law, then it should be applied systematically to all prisoners. The prisoners who defy prison authority or disturb prison peace are comparatively few, but those who are defective, mentally, morally, and spiritually, and are likely to continue to violate the law when they are at liberty are very many.

The best disciplinarian is the one who can devise and apply a system which shall remedy these defects. The essential point in such a system is that the prisoner shall be made active and alert, that she shall be compelled to be watchful of herself in little things. The system must be repressive in some ways, but it is more important that it be stimulating. It must develop rather than destroy. It must create interest in place of carelessness, thrift in place of shiftlessness, strength in place of weakness. These needs are almost universal among prisoners, and the grading system furnishes the means for their supply. I can understand how order and authority may be maintained in a prison without such a system, but I can not understand how a prisoner can be taught, trained, and developed without the system of marking which takes account of the most trivial acts in her life, and a system of grades in which her place depends upon her own conduct and every promotion is the result of positive and earnest effort. Prisoners are like all other human beings, they will not make an effort unless there is something to be gained by it.

The grading system offers this possible gain. Something worth hav-

ing is constantly set before the woman. A higher grade in itself stimulates the ambition of some, but for most there must be added privileges, and the hope that at the end of the training when they have proved their fitness for liberty it will be allowed. The system must be so arranged that the prizes shall not be won too easily. They should be gained only by a constant struggle and constant watchfulness. There should be something always ahead and on the other hand always a possibility of reduction in grade, for any system which shall deal effectively with human beings must appeal to fear as well as to hope. The rules must prohibit some things which are harmless in themselves, and must require many things which in themselves are not of importance, all for the purpose of securing the unremitting watchfulness and unflagging effort by which character is built up. Under such a system an institution becomes in a distinct sense self-governing. What is commonly called discipline comes to require little attention, but the administration of such a system is not easy. The gain in the use of methods which lead the prisoners to control themselves is offset by the necessity for the constant attention to the operation of these methods upon individuals.

There are great differences of disposition to deal with, oversensitiveness to injustice on the part of the most, physical and mental inability to perform tasks, a lack of comprehension of the purpose of rules, misconception of the reformatory system based upon experience of false methods. But the system furnishes a means for ascertaining the defects of the exceptional prisoners, and time and thought must be given to curing these defects.

Machinery is needed, but no prison which aims to fit its inmates for better lives can do its work by machinery alone. There must be a patient, earnest, attentive study of individuals, and an appreciation in every case of the means best calculated to produce the desired results. There can be no absolute rule.

This will make prison discipline what it should be, a process of teaching and training, not mainly to make obedient prisoners, but rather to make them good citizens when they shall cease to be prisoners.

THE PENNSYLVANIA INDUSTRIAL REFORMATORY.

By ISAAC J. WISTAR.

This State institution is situated at Huntingdon in Pennsylvania and was first opened for the reception of prisoners on February 15, 1889. The cost of construction to date, including land, inclosures, cell houses, workshops, and all other buildings now amounts to about \$1,100,000. There are 4 cell houses all radiating from one centre, containing 804 cells, all of which are 8 feet in clear height, a portion having 8 by 9 feet of floor space and the remainder 7 by 8 feet. Three of the houses contain 3 tiers and one of them 4 tiers, or stories, of cells. Each cell has an iron-grated front and is supplied with drinking water, a sanitary water-closet, electric light, iron bedstead with straw bed tick, 2 blankets, 2 sheets, straw pillow and pillow case, chair or stool, table, and the necessary washing and cleaning implements.

The legislature has provided with considerable detail for the methods and government of the reformatory. It directed that it should be a place of confinement for male criminals between the ages of 15 and 25 years, not known to have been previously sentenced to any penitentiary or State prison; that its construction should be such as to admit of classification of the inmates and their employment in useful labor; that the discipline should be such as might best promote and encourage the reformation of the prisoners, and thus prevent them from becoming habitual criminals. They were therefore to be subjected while in custody to such remedial and preventive treatment, training, and instruction as might halt them effectually on the first pathways to crime, and restore them to society as honest, industrious, and reputable citizens. Unfortunately, it failed to provide for their entire separation from each other during the rehabilitating process, and therefore the construction of the buildings was not planned with reference to that great advantage now deemed so essential to salutary reflection and real individual reform.

The general government and supervision is vested in an honorary or unpaid board of five managers appointed by the governor of the State for a period of ten years. The managers annually elect the general superintendent and he in turn appoints all the other officials, subject to the confirmation of the board.

The managers are required by law to establish such rules and regulations as shall assure to the inmates instruction in the rudiments of an



MAIN ENTRANCE, PENNSYLVANIA INDUSTRIAL REFORMATORY, HUNTINGDON.

English education, and in such manual handicraft or skilled vocation as may be useful to the inmates in obtaining reputable support after discharge. They are likewise required to adopt a uniform plan by a system of "marks" or otherwise under which each prisoner shall be credited for good demeanor, diligence in labor and study and general results, and shall be correspondingly charged for negligence, derelictions, and offences.

The courts of the Commonwealth in imposing sentence to the reformatory are not to fix or limit the duration thereof. The board of managers is authorized to terminate the sentence at its discretion, provided the detention shall not exceed the maximum of the term assigned by law for the offence of which the prisoner was convicted.

The reformatory has thus to deal exclusively with a class of young but not juvenile criminals, supposed to be "first offenders," who, though segregated for an uncertain period from the outside world, must each eventually return to the community and there become either a helpful or a hurtful member of society, and in either case a factor in the common government and a voice in molding the laws and institutions of the country. The primary object, therefore, is to surround him immediately by a system of firm but humane discipline, where the dull-est can not fail to observe that the quickest road to liberty lies in fitting himself for the duties of citizenship by learning respect for and obedience to authority. To him honest obedience means early liberty, while disobedience means longer imprisonment. Such mere "good behavior" as the habitual criminal soon learns to simulate for his own ease will not avail, for the tests of improvement here in use are so numerous and continuous that the ordinary hypocrisy of hardened criminals is tolerably sure of detection. The prisoner's conduct and his actual improvement in labor and education are the chief objects of attention, and when he is continually brought face to face with these tests and has learned to recognize their supreme importance to himself, he is forced to reflect, and must sooner or later realize that the only way of escape from prolonged imprisonment lies in an honest use of the opportunities offered him for improvement.

Such are the views and hopes of the managers and friends of the reformatory, and while they are not as yet in harmony with the general views of modern penologists on what these consider the all important essential of the separation of prisoners at all hours from each other, yet the methods and regulations adopted are excellent as far as they go, and are probably as good a substitute for separation as could be devised.

Each prisoner is confined by himself in a separate cell during the night and when not otherwise employed.

The entire population is classified into four grades, of which the first is the highest. All inmates are assigned on admission to the second grade, from which they can only advance to the first grade after six months of continuous good record. On the other hand, failure to maintain standing in the second grade results in reduction to the third, and

if continued, to the lowest grade, each reduction depriving the subject of certain small privileges. A prisoner thus reduced to the lowest grade, is retained there till he shows some disposition for obedience and improvement. In the continued absence of any such indications, the law authorizes his transfer to a State penitentiary as incorrigible. One month's continuous good behavior in the fourth grade entitles a restoration to the third, and similarly to the second grade, which would place the prisoner just where he was at his first entrance to the institution, all the intervening time having been lost to him through his misbehavior. On the other hand, advancement from the second to the first grade involves certain highly esteemed privileges, including that of taking meals in the dining room, where all the first grade men assemble, eight at each table, with white cloth and white stoneware table dishes. The three other grades eat in their cells. The several grades are designated by different colors and facings, but otherwise the material of all principal clothing is the same.

The standing of the 583 inmates present August 1, 1898, was as follows: First grade, 247; second grade, 292; third grade, 23; fourth grade, 21; total, 583.

When a first-grade man has six months of continuous good record to his credit, his name is submitted to the board of managers, which fixes a time, according to the crime of which he was convicted, when a release or parole will be granted on the following terms, to wit: That he must find employment with a responsible person or firm who will sign employment papers agreeing to furnish him steady employment during the parole period, which is never less than six months, and may be extended by the board of managers. The papers must state the kind of work to be furnished, and the wages to be paid, and the employer must agree to take a friendly interest in the person paroled, to advise him when necessary, and to report immediately to the reformatory any misbehavior or absence from work on his part.

These employment papers, coming as they do from all parts of the State after being signed, must be certified to by a judge, or some other public official, attested by his seal of office, certifying to the character and standing of the proposed employer. When the papers have been approved, the paroled man is released after being supplied with new citizen's clothing and a sufficient sum of money to take him to his destination, but still remains subject to reclamation by the reformatory should he violate his parole. He must report by letter on the first day of each month to the reformatory, showing the amount of wages earned, the manner of its expenditure, and any other information required, and such report must be certified by the employer. In case of continued satisfactory behavior, the managers at the proper time apply for his final discharge to the judge of the court which sentenced him. The order, when granted, is recorded at the reformatory, and a copy sent to the paroled man, who thus becomes released from any further custody by the State and restored to unconditional freedom. Misbehavior and

rearrest during parole require thirteen months of continuous good record before a second parole will be risked.

Down to August 1, 1898, the entire number of commitments was 2,796. The population on that day was 583.

During the year 1897, 200 inmates were released on parole, each of whom went unattended by an officer to the places to which they were paroled in this and other States, and reported to their employers. Of these 164 honestly served their paroles and received final discharge and 36 violated parole. Of this number 21 were reclaimed by the reformatory, and the remaining 15 are still at large, and liable to arrest and return when found. The first seven months of 1898 have showed nearly similar results, and it may therefore be said that about one-sixth of the prisoners paroled in the nineteen months next following January 1, 1897, have violated their paroles, of whom more than one-half have been returned to the reformatory.

The superintendent states his confident belief that fully one-half or more of the inmates are permanently rescued from future crime, and the present writer is inclined to agree with him. In the absence, however, of precise statistical information the exact figures must for the present remain a matter of hypothesis.

LABOR AND INSTRUCTION.

Trade instruction is communicated in printing, photography, molding, plumbing, machinists, cooks, gardeners, brickmaking, musicians, bakers, butchers, waiters, florists, barbers, smithing, painting, frescoing, carpentering, plastering, masonry, stone cutting, bricklaying, tin-smithing, shoemaking, tailoring, woodworking, electricians, laborers, etc. The institution does its own construction and repair work, and has shops and departments with competent instructors in charge of the trade schools, but owing to recent restrictions in the laws concerning prison labor does not at present manufacture any commodities for sale. Much work is done by the prisoners under guard outside the walls, including the care of a vegetable garden of thirty acres and a large farm.

EDUCATION.

Every inmate is obliged to attend school. He is closely examined on first admission to ascertain his intellectual ability, and then assigned to a school of proper grade. If he fails to keep up with his classes without any visible inability the length of his confinement is increased. Fourteen schools taught by professional teachers permanently employed as officers are in session five evenings of each week. An additional evening is occupied by literary societies and debates.

RELIGION.

One Protestant chaplain is permanently employed, who devotes his entire time to the institution. Sunday school is held at 9 a. m. in the

chapel, at which the attendance is voluntary, but attendance on preaching at 2 p. m. is compulsory on all inmates. Nothing of denominational character is ever introduced. The clergy of both Protestant and Catholic churches are invited to occupy the pulpit. Special services are held for the Catholic inmates with such frequency as may be desired by the clergy of that church.

PHYSICAL INSTRUCTION.

The inmates are regularly drilled in the schools of the soldier, the company, and battalion, after the completion of the regular labor. A band composed from the prisoners furnishes music for this and other desirable purposes. Suitable gymnastic exercise for systematic body building is regularly provided.

COST OF MAINTENANCE.

The cost of the food and maintenance of the inmates, as distinguished from that of the institution, is charged to and paid by the counties contributing the prisoners. The amount charged to the counties in 1897 averaged 25 cents per man per day. Salaries and all other items of general expenditure are defrayed by the State. The entire annual cost per capita for all purposes, after deducting earnings, was \$271.27 in 1896, and \$246.08 in 1897. This, of course, was much larger than in either penitentiary, on account of the considerable expenditure for trade teaching and educational purposes, but it is manifest that such increased cost must be a trifling consideration for the taxpayer, provided corresponding results in the actual reclamation and reform of a proportionally greater number of incipient criminals be really obtained. There is at present no legal method of following discharged inmates into their new life, and if there were, it might probably do more harm than good, since it is for the evident interest of the public, no less than of the prisoners, that such as do reform should lose their criminal records and be absorbed as soon as possible into the healthy body of the community. Hence precise information on this all-important point is inaccessible. An institution dealing exclusively with young first offenders ought to, and probably does, reclaim a larger proportion of its inmates than the penitentiaries, whose business is chiefly with habitual offenders or recidivists of the irreclaimable crime class, but whether or not in due proportion to the larger cost of their treatment can not be known from any reliable statistics, and must therefore remain for the present a subject of estimate and opinion.

But there are here presented two subjects for the consideration of thoughtful penologists of far greater importance than any question of mere cost. All penalties against individuals are in derogation of liberty, and only to be tolerated because of their necessity. Our ancestors have struggled for a thousand years to reconcile penal exactions with individual freedom, by extricating and protecting criminal trials and

punishments from governmental interference and the tyranny of power. It is even now scarcely a century since legal punishments have been fairly apportioned to public offenses within elastic limits, and the judicial machinery been made independent of executive behests. An essential part of that vast progress has consisted in vesting both the ascertainment of the truth and the assessment of punishment in independent judges, expressly trained and chosen, all whose acts are performed in the full light of day, before a public jealous of its rights, and under the influence of every kind of public criticism. It seems a dangerous step backward to make such public judicial acts reversible on the judgment and dictum of untrained and inexperienced citizens who have had opportunities, however unconsciously to themselves, of becoming prejudiced for or against the prisoner, who sit in a secret chamber without access to original evidence, whose acts are unknown to the public at the time, and therefore are subject to but little or no public criticism. It must always seem to prudent persons that when a trained and responsible judge, after seeing the witnesses and hearing the evidence, has accepted a jury's verdict and assessed the penalty within the limits prescribed by law, with the knowledge and subject to the criticism of the entire community, a proceeding of such public and deliberate character ought to stand till modified or set aside by a proceeding of equal publicity and solemnity.

Undoubtedly the methods and regulations of the Huntington Reformatory have been framed with wisdom and conscientious care, and on the whole are calculated to be effective as far as they go. But the institution was intended as an agency of reform and improvement. It has been amply supplied with every facility that money can obtain, both for original construction and for current operation, and that far more lavishly than any other State penal institution. Its managers and superintendent are men of the highest character, profoundly interested in and earnestly working for its success—not as a mere prison, for the penitentiaries do that work equally well at half the cost per capita—but as a beneficent reforming agency. Yet while fruitful in other reforming experiments, down to this time they have entirely ignored the constant separation of the prisoners from each other which most modern practical penologists now regard as far the most valuable of all known agencies of reform. We are informed on the high authority of Dr. Jule Morel, the distinguished alienist of the Belgian prisons, that there is no longer (1897) one prison authority in Europe who opposes the separation of convicts from each other at all hours. We know that the plan has been most successful here as far as tried, and that in every other Christian country millions of dollars have been and are now being expended in the alterations and constructions necessary to obtain the benefits of this greatest and best of all reformatory agencies. Both the arguments and proofs are to be found in all European languages and in every recent writer of repute, and it is not necessary to repeat

them here. It can not be the expense that deters, for it has long been established and is at any time demonstrable by a comparison of the operating expenses of the separate and congregate penitentiaries in Pennsylvania, that the cost of altering prison buildings for this purpose—be it great or small—is immediately and far more than compensated by the reduction in the number of attendants required and the consequent economy in current expenses. May it not, therefore, be questioned without offense, whether the name of reformatory has not been prematurely conferred on institutions which, whatever their other merits, continue to neglect a measure of reform that has come to be so widely accepted as the most important and best of all?

PHILADELPHIA, *September 1, 1898.*



ILLINOIS STATE REFORMATORY, PONTIAC.

THE ILLINOIS STATE REFORMATORY.

By Right Rev. SAMUEL FALLOWS, D. D., LL. D.,

President of the Board of Managers.

In this brief sketch I present the origin, purposes, methods, and results of the Illinois State Reformatory.

This reformatory is located at Pontiac, in Livingston County—a beautiful interior city of the State. The reformatory is but the natural sequel of the State Reform School, which was established by legislative enactment in the year 1867. Cook County, in which Chicago is situated, was excluded from sending inmates to this school.

The reform school was intended to be a place of confinement for the education of boys who were homeless, reckless, incorrigible, and who had not been convicted of crime. Its first superintendent was Mr. George W. Perkins, who, after serving for a brief period, resigned, and was succeeded by Dr. John D. Scouller, widely known as a penologist, who held the office until the organization of the Illinois State Reformatory in 1891.

The reform school was under the board of State charities, of which board the Rev. Fred H. Wines, LL. D., has been for so many years the efficient secretary.

The board of trustees of the school purchased 276 acres of prairie land, on which its buildings were erected, and the same are now occupied as a part of the reformatory structures.

In 1891, during the term of the Hon. Joseph W. Fifer as governor, an act was passed by the legislature, approved June 18, 1891, creating the Illinois State Reformatory, which took the place of the reform school. Credit is due largely to Governor Fifer, Gen. B. F. Sheets, then a State senator, and to Maj. R. W. McLaughry, then superintendent of police of the city of Chicago, for the passage of the bill.

The law was afterwards amended June 24, 1893, and June 9, 1897.

SYNOPSIS OF STATUTES AND RULES GOVERNING THE MANAGEMENT OF THE ILLINOIS STATE REFORMATORY—BOARD OF MANAGERS.

The governor shall appoint five citizens of the State, who shall constitute a board of managers, and who shall have the charge and management of the Illinois State Reformatory.

Such board shall appoint, and may remove for cause, a general superintendent, a physician, and a chaplain.

The general superintendent shall be the secretary of the board of managers.

The board of managers shall fix all salaries.

They shall not solicit nor request the general superintendent to appoint any person to any position in the institution.

They shall elect a president and vice-president every two years.

They shall examine the books, accounts, vouchers, and documents of the institution at least every three months, and record the result of their examination in a book to be kept for that purpose.

They shall examine all accounts and expenditures, with vouchers for the same, at least once each quarter of the year, and certify the same, with their approval or disapproval, to the governor of the State.

They shall make a full detailed report of the business and the reformatory work of the institution, with recommendations, to the legislature of the State, through the governor.

The board is required to provide for the thorough training of each inmate in the common branches of an English education, and in such trade or handicraft work as will enable him, upon his release, to earn his own support. They shall establish and maintain, and make rules for the government of, common schools and trade schools. They may receive prisoners; may transfer prisoners, for cause, to State penitentiaries and withdraw them from those institutions; may parole prisoners and reimprison them for cause, or authorize the courts to grant final discharge to worthy paroled prisoners, and may make rules for carrying into effect all laws directing the management of the reformatory and the reformation of its prisoners.

GENERAL SUPERINTENDENT.

The general superintendent shall reside at the institution and shall be the general executive officer of the board of managers. But the law also directs especially that he shall appoint all subordinate officers and employees, who shall be appointed only after rigid examination as to their education, trade knowledge, moral character, and fitness for the care and custody of those persons who may be sentenced to imprisonment in the reformatory, and that he may remove them at his pleasure.

He shall have charge of all books and papers, and of the lands, buildings, furniture, apparatus, tools, stocks, provisions, and every other species of property of the reformatory. He shall also have charge of the inmates of the institution, and shall classify them as to age, from 10 to 16, and from 16 to 21 years, and discipline, govern, instruct, employ, and use his best efforts to reform them.

He shall cause a register to be kept in which shall be entered the date of admission, the name, age, nativity, and nationality, with such other facts as can be ascertained of parentage, education, occupation, and early social influences affecting each individual, and as aids to

treatment in his reformation. He shall enter thereafter minutes of observed improvement or deterioration of character, and notes as to methods and treatment employed. He shall recommend that worthy inmates be paroled, shall keep in correspondence with such as are absent under parole, and shall recommend that those whose reformation has been verified by perfect conduct while under parole be discharged from further imprisonment.

PRINCIPAL SUBORDINATE OFFICERS.

The general superintendent shall appoint an assistant superintendent, clerk, bookkeeper, chief engineer, trade-school instructors, common-school instructors, captain of the watch, and all needful guards.

From these shall be selected common school instructors, teachers in the manual and training schools, etc.

In the appointments by the general superintendent political or partisan interests must not be consulted. Only character, intelligence, and special adaptability to the position to be filled must be regarded.

The assistant superintendent is the assistant and agent of the general superintendent in the government and management of the inmates of the reformatory, more particularly in securing compliance with its rules and subordinate officers, employees, and inmates. Among his duties are the followin : To visit constantly every part of the institution and see that no unnecessary waste or loss of the property of the reformatory takes place, etc.

All breaches of discipline or other offenses by the inmates are immediately reported by the officer in charge to the assistant superintendent, who makes a full inquiry into the facts of the case and reports them to the general superintendent.

The chief clerk is the accountant of the reformatory and the assistant of the general superintendent in matters of its records and accounts. He receives all the moneys or articles of value deposited by or for the inmates and gives receipts to the inmates for such moneys or articles.

The chaplain of the reformatory shall hold service at least once each Sunday, in the chapel of the institution; which service shall not be sectarian in character, but shall recognize the Christian faith as the basis of religious teaching. Also, once each Sunday, the chaplain or other person or persons to be selected by the managers or by the general superintendent, shall hold a meeting for the presentation of ethical or other questions, with a view to the elevation of the thoughts and aspirations of the inmates of the institution.

On such Saturday evenings, or early Sunday mornings, as the parish priest of the Roman Catholic Church of the parish in which the reformatory is located requests, reasonable previous notice having been given by him to the general superintendent, visitation, confession, mass, or service may be held by or under the order and direction of such parish priest; and every reasonable facility, not inconsistent with other

rules of the reformatory or its regular appointments, shall also, on other occasions, be given, as assistance to such priest in his efforts for the spiritual elevation of such inmates as belong to the Roman Catholic Church.

The chaplain is also the superintendent of the common-school system of the reformatory, or its common-school instructor.

The physician has full control over the patients in the hospital, subject to the rules of the reformatory, and gives daily orders as to the treatment of each patient to the principal nurse or to the assistant superintendent.

SYNOPSIS OF THE GENERAL RULES FOR THE GOVERNMENT OF SUBORDINATE OFFICERS.

The subordinate officers, guards, instructors, and employees are the assistants of the officers in enforcing the police and discipline of the reformatory, and carrying into effect the laws for its government, and for securing the reformation of its inmates. Subordinate officers and armed guards, designated for day and night duty, shall be at their respective posts each morning and evening.

The subordinate officers and guards shall supply themselves with, and wear while on duty, such uniforms as shall be prescribed by the board of managers, unless excused because of the nature of their employment; and they shall constantly observe the utmost cleanliness in dress, person, and habits.

While within the reformatory they shall refrain from whistling, scuffling, immoderate laughter, boisterous conversation, exciting discussions, and all other acts calculated to disturb the harmony and good order of the reformatory; and in their intercourse among themselves, they are at all times to treat each other with that mutual respect and kindness that become gentlemen and friends.

They shall not hold conversation while on duty, except such as may be necessary in the discharge of their duties; nor shall they be engaged in reading or writing, other than as necessary to make entries, or as required in their duties, nor be engaged in any employment calculated to interfere with constant care, vigilance, and efficiency.

They shall not, under any circumstances, allow inmates to speak to them upon any subject not immediately connected with their duty or employment, wants, or matters relating to the reformatory's business.

Officers and others having inmates in charge shall instruct them in the rules of the reformatory relating to their conduct, and whenever an inmate willfully fails to carry out the orders of an instructor or of a guard, or uses threatening, defiant, or impudent language, or otherwise commits an offensive act, or is persistently careless or indifferent at his work, or otherwise violates the rules governing inmates, he shall be immediately reported to the officer in charge, or to the assistant superintendent.

They shall keep the inmates under their charge diligently at work at their several occupations, and constantly in sight while employed, and shall make daily report, upon the proper blank, of the attendance of each inmate at work.

Except as the rules provide, they shall not permit inmates to communicate with each other, either orally or by signs, or otherwise, or converse with any person, except as allowed by the rules of the reformatory.

They shall require from the inmates the greatest possible cleanliness in their habits, persons, and clothing, and in their work and sleeping apartments.

In their intercourse with inmates the officers, guards, and instructors shall maintain gentlemanly conduct at all times, and especially when under provocation, recollecting that an inmate, however disposed to be violent or abusive, is entirely in their power.

They shall not punish an inmate, nor strike him, except in self-defense, or in the defense of others, or to quell an insurrection, or to retain the safe custody of inmates; nor shall they use profane, abusive, or indecorous language to inmates, or in their presence; but shall uniformly treat them in a kind, humane, and gentlemanly manner regardless of all seeming provocation.

Officers shall keep constant watch over inmates at work, and see that they are industriously engaged at it, and shall not allow inmates to leave their work without permission, nor to speak to or gaze at visitors or others. Tasks shall be assigned by the general superintendent only.

An officer shall not take the unsupported statement of an inmate against another, on which to make a report against the inmate complained of, but shall report the facts, if they are important, to the general superintendent, or to his assistant.

As soon as the inmates are locked up at night, each keeper having charge of a division shall report immediately to the assistant superintendent the number of inmates therein, and, the count being verified, he shall deliver his keys to the night turnkey.

The officers and guards who act as turnkeys and gate-keepers shall not permit any person who is not connected with the institution as a regular employee, or designated by law as an official visitor, to enter the reformatory, except in company with the governor of the State or an officer of the institution, unless such a person is provided with a pass from the office; nor shall they allow an inmate to pass outside of the walls unless he is accompanied by an officer, or has written authority to do so.

Gate-keepers will closely examine the contents of wagons or vehicles when entering or leaving the yards, and must always be vigilant in guarding against surprise or attempt to escape on the part of the inmates.

Employees must not take newspapers, books, or other reading matter into the institution, nor leave citizen's clothing in the yard or buildings.

Tobacco shall not be used in or about the reformatory by officers, guards, or employees, save only when they are in their respective sleeping rooms, and when its use will not annoy fellow roommates; nor shall inmates use it nor have it in their possession at any time.

Intemperance or frequenting saloons will not be tolerated, nor shall intoxicating liquors be kept at the institution by anyone, unless specially authorized by the general superintendent or the physician of the institution. Employees will refrain from visiting the shops or yard while off duty and from receiving visits while on duty.

No officer, guard, instructor, or employee shall have any pecuniary interest, directly or indirectly, in any business wherein the reformatory is a party in interest; nor shall he receive, directly or indirectly, any fee, commission, gratuity, or present from any person or corporation tendering for or furnishing supplies to or doing business for or with the reformatory; nor shall he sell anything to or buy anything from inmates, nor give to or receive from them, or from any person in their interest, any gift or present; nor shall he convey to them nor from them any message, either written or verbal, for outside parties, nor deliver to an inmate anything not authorized by the rules or custom of the institution without the consent of the general superintendent or his assistant, or the clerk of the institution.

Entire nonintercourse with inmates, save only as authorized by these rules, must be observed; and if reply is made to impudent or insulting language on the part of an inmate, it must be without temper and in gentlemanly language and manner. Profane, indecent, abusive, insulting, or irritating language by any will not be tolerated. All infractions of discipline must be reported.

No work shall be done in any shop or department of the reformatory for, nor shall any property or material be delivered therefrom to, any officer, instructor, or citizen, except upon an order first obtained from the clerk's office.

Disputed questions as to duty, and grievances, must be submitted in writing to the general superintendent or to his assistant.

The managers allow each officer, guard, and instructor, after six months' continuous service, a furlough or furloughs equal to fourteen days each year without loss of pay.

Cell-house and dormitory officers and guards will see that the utmost cleanliness prevails in the cells and dormitories, and that they are thoroughly ventilated and warmed when necessary, and that all rules and regulations regarding communications, conduct, etc., are duly enforced.

INMATES.

The inmates of the reformatory shall be divided into two divisions or departments, the first to include males between the ages of 10 and 16 years, the second to include males between the ages of 16 and 21 years.

COMMITMENT OF OFFENDER.

Whenever any boy between the ages of 10 and 16 years is convicted before any court of competent jurisdiction of any crime which if committed by an adult would be punishable by imprisonment in the county jail or penitentiary, such juvenile offender shall be committed, by order of such court, to said reformatory: *Provided*, That when the crime is punishable by imprisonment in the county jail, the court may in the exercise of its discretion commit such offender to the county jail for the term authorized by law for the punishment of the offense of which the offender is convicted.

SENTENCE TO REFORMATORY.

Any court in Illinois exercising criminal jurisdiction may sentence to the said reformatory any male criminal between the ages of 16 and 21, and not shown to have been previously sentenced to a penitentiary in Illinois or any other State or country, upon the conviction in such court of such male person of a crime punishable under existing laws in a penitentiary.

SENTENCE—DURATION—AUTHORITY OF BOARD.

Every sentence to the reformatory of a person hereafter convicted of a felony or other crime shall be a general sentence to imprisonment in the Illinois State Reformatory, and the courts of Illinois imposing such sentence shall not fix or limit the duration thereof. The term of such imprisonment of any person so convicted and sentenced shall be terminated by the board of managers of the reformatory, as authorized by the act establishing it; but such imprisonment shall not exceed the maximum term provided by law for the crime for which the prisoner was convicted and sentenced.

Any boy between the ages of 10 and 16 years who is convicted of a capital offense shall not be sentenced to the Illinois State Reformatory.

The law also states that all laws that govern the penitentiaries of the State, so far as they relate to the prevention of escape, the suppression of riots, revolts, mutinies or insurrections, or the punishment of crimes committed in the penitentiaries, are also made applicable to and declared to be in force in the Illinois State Reformatory.

FURNISHING OF MONEY AND CLOTHING TO PAROLED INMATES.

Upon the release of any prisoner upon parole from the reformatory, the general superintendent shall provide him with suitable clothing and with \$10 in money, payable at such times and in such installments as the general superintendent may determine, and shall procure transportation for him to his place of employment. The general superintendent shall make like provision for any prisoner discharged from the reformatory by expiration of his sentence or otherwise, save that he shall procure transportation for said prisoner to his home, if within

the State, or if his home is not within the State, then to the place of his conviction.

SYNOPSIS OF RIGHTS AND PRIVILEGES OF INMATES.

Any inmate of the reformatory may at any time address, sealed, a letter to the president of the board of managers upon any subject deemed by such inmate to affect his interest or the interest of the institution, and the general superintendent shall forward the same to the president, and the president, after examining such letter, will confer with the general superintendent as to its contents, if he shall deem it best to do so, and make such temporary order or other disposition as he may deem necessary, or he may bring such letter to the attention of the board for its action.

Whenever, in the morning prior to going to work, an inmate reports himself as being ill and desires to see the physician, his name and register number shall be put on the sick-book list, and the inmate and book shall be sent to the physician at the regular morning sick call. If an inmate becomes ill or is injured during the day, the fact shall at once be reported to the assistant superintendent.

If an inmate desires to make complaint to or have an audience with the general superintendent, the officer to whom a request is made shall receive the application and report it in writing to the general superintendent, keeping a copy of such report on the corresponding stub of the blank book furnished for that purpose.

If an inmate makes complaint to an officer of any order given him or of any action toward him, the officer shall inform the assistant superintendent at the earliest convenient moment, and that officer will act in the matter as he may think justice may require; but the inmate, in the meantime, must obey the order given him.

Permission to write to relatives or friends and to receive letters and visits from them will be granted to inmates of the first and second grades, and to receive weekly newspapers at such periods of time and under such special regulations as the general superintendent may authorize. All letters and reading matter are subject to inspection, and if they contain objectionable matter they will not be delivered to inmates nor sent to the parties to whom addressed.

DATA ON ENTRANCE OF INMATE.

Name, ———. Received, ———, 189 . Birthplace, ———. Age, ———. From what county committed, ———. By what court committed, ———. Crime committed, ———. Maximum sentence, ——— years. White or colored, ———. Names and post-office address of parents and correspondence, ———.

HIS ANCESTORS—ANTECEDENTS.

Parents' age and birthplace, ———. Habits, ———. Insanity, ———. Epilepsy, ———. Pauper or criminal, ———. Education, ———. Pecuniary condition, ———. Occupation, ———. Religion, ———.

HIMSELF.

How reared.

At home or elsewhere, _____. Names and age of brothers, _____.
Names and age of sisters, _____. Education, _____. Occupation,
_____. Religion, _____. Associations, _____. Previous
imprisonment or arrest, _____. Circumstances of present arrest and conviction,
_____.

Condition on admittance.

Height, _____. Weight, _____. Physical, _____. Mental
natural capability, _____. Moral susceptibility, _____. Sensitive-
ness, _____.

Character and habits.

Drinks intoxicating liquors, _____. Profane, _____. Chews or smokes tobacco,
_____.
Remarks, _____.

MEDICAL EXAMINATION OF INMATE.

No., _____. Name, _____. Date, _____, 189 . Race, _____.
Height, _____. Weight, _____. Age, _____. Birthplace, _____.
_____. City, _____. County, _____. State. Father's health, _____. If
dead, cause and age, _____. Mother's health, _____. If dead, cause
and age, _____. Brother's health, _____. If dead, cause and age,
_____. Brother's health, _____. If dead, cause and age, _____.
Sister's health, _____. If dead, cause and age, _____. Sister's health,
_____. If dead, cause and age, _____. Occupation, _____.
Education, _____. Habits: Tobacco, _____.; liquors, _____.;
sexual, _____. Pulse, _____.; sitting, _____.; standing, _____.
_____. Heart's action, _____.; sound, _____.; rhythm, _____.
Chest measure: Quiet, _____.; inspiration, _____.; expiration, _____.
_____. Abdominal, _____.; respiration No., _____.; sounds, _____.
_____. Inguinal canal: Right, _____.; left, _____. Hearing, _____.
_____. Eyes, _____. Vaccination, _____.; when last, _____.;
condition, _____. Right handed, _____. Left handed, _____.
Tattooing, _____. Deformities or disease, _____. Physical condition.
_____. Mental condition, _____.
Remarks: _____.

ANTHROPOLOGICAL OBSERVATIONS.

Face.

Nasal profile _____. Maxilla _____. Facial angle _____.
Canines _____. Orbital cavities _____. Asymmetry _____.

Ear.

Angle _____. Development of helix: Upper _____. lower _____. Root of helix
_____. Attachment of lobe _____. Mobility _____. Asym-
metry _____.

_____,
Physician Illinois State Reformatory.

NATIONALITY OF INMATES AND OF THEIR PARENTS.

The following refers to inmates who were received between October 1, 1894, and September 30, 1898, inclusive:

Received, total	2,608
Received, colored	413
Received, white	2,195

Among the 2,195 white, 1,847 were born in the United States and 348 were born in foreign countries, or about 84.2 per cent born in United States and 15.8 per cent foreign born.

Among 2,195 whites, 1,148 had fathers born in United States, 1,007 had fathers born abroad; 45.87 per cent fathers foreign; total, 2,195.

Among 2,195 whites, 1,261 had mothers born in the United States; 934 had mothers born abroad; 42.55 per cent mothers foreign; total, 2,195.

TERMS OF PAROLE.

Some responsible, respectable person or persons or corporation must first be secured to furnish employment for the proposed paroled inmate for a term of not less than twelve months, such employment to be within the State of Illinois, unless otherwise permitted by the board.

On the first day of each month while on parole and until he receives notice of final discharge, the paroled inmate must be in communication with the general superintendent of the reformatory, giving a full account of himself, and of the amount he has earned, etc. He must in all respects conduct himself honestly, avoid all evil associations, obey the laws, and abstain from the use of cigarettes and intoxicating liquors. Violation of parole subjects the inmate to return to the reformatory.

The following is the parole agreement:

APPLICATION OF PROPOSED EMPLOYER FOR INMATES TO BE PAROLED.

To the proposed employer:

1. Read carefully and properly fill all the blanks in the following application.
2. Have the certificate thereto duly signed as required below.
3. Return this paper when properly signed to the General Superintendent of the Illinois State Reformatory, Pontiac.

To the board of managers of the Illinois State Reformatory, Pontiac.

GENTLEMEN: I, _____, respectfully represent that I live at _____, and am at present engaged in the _____ business at No. _____ street, _____, Ill.; that I am able and willing to furnish employment to and to continue in my employ until he receives his final discharge (which will be at the pleasure of the board) _____, at present an inmate of the Illinois State Reformatory; and I hereby agree to do so and to keep the said _____ steadily employed at _____ and to pay him the sum of _____ dollars per _____ for his services _____ board.

I also promise to take a friendly interest in the said person, to counsel and direct him in that which is good, and to promptly report to the general superintendent of the Illinois State Reformatory any unnecessary absence from work, any tendency to low and evil associations, or any violation of the conditions of his parole; and I further promise to see that he forwards his monthly report to the general superintendent of the reformatory on the first of each month, with my certificate thereon as to its correctness.

[Employer sign here.]

Dated at _____, Ill., _____, 189 .

NOTE.—The following certificate must be signed by the circuit or county judge, the clerk of the court, or some one known to some member of the board of managers. Failure to observe this rule will cause the refusal of the application.

I hereby certify that I am acquainted with the above-named ———, and believe him to be in every respect a fit and proper person to have the supervision and care of ———, who is an inmate of the Illinois State Reformatory, and I am confident he will faithfully comply with the conditions as set forth in the above agreement.

Dated ———, Ill., ———, 189 .

PAROLE AGREEMENT.

Know all men by these presents, that the board of managers of the Illinois State Reformatory desires to test the ability of ———, an inmate of said reformatory, to refrain from violating the law and to lead an honest and industrious life, and the said ——— being desirous of obtaining release by parole, and he having carefully read the rules and regulations of the board of managers relating to the parole of inmates, and given his full assent to their requirements, and promised to conform thereto, it is ordered that the said ——— be allowed to go outside the building and inclosure of said reformatory to the place at which employment has been found for him at ——— by ——— and under the guardianship of ——— as agent of this board, there to remain, subject to said rules and regulations, as printed herewith, and which are made a part of this agreement.

Given in triplicate, this ——— day of ———, 189 .

BOARD OF MANAGERS OF THE ILLINOIS STATE REFORMATORY,

—————, *President.*
—————, *Secretary.*

I, ———, an inmate of the Illinois State Reformatory, hereby declare that I have carefully read and do clearly understand the foregoing rules and regulations governing the parole of inmates, and the conditions of the above parole agreement, and I hereby accept the same, and do pledge myself to honestly comply with all said conditions.

Signed in triplicate, this ——— day of ———, 189 .

RECOMMENDATION FOR FINAL RELEASE OF PAROLED INMATES.

ILLINOIS STATE REFORMATORY,

Pontiac, ———, 189 .

To the Honorable ———,

Judge of the ——— court of ——— county, or his successor in office:

The board of managers of the Illinois State Reformatory, at Pontiac, respectfully represent that ———, No. ———, was sentenced by the said court to said reformatory on the ——— day of ———, 189 ; for the crime of ———, and was committed to said reformatory on the ——— day of ———, 189 ; that said ——— completed a term of ——— months in said reformatory; that for ——— consecutive months immediately preceding his release on parole he maintained a perfect record in deportment, labor, and study; that he was paroled on the ——— day of ———, 189 , to ———, a reputable citizen of ———; that he has conducted himself during the entire period of his parole as a good citizen, as is shown by the monthly reports of said employer, now on file in

said reformatory. Because of these facts, and of the reasonable probability that he will continue to deport himself as a good citizen, the board of managers of said reformatory do hereby recommend unto your honor the final release of said ——— from further liability under said sentence, in accordance with the provisions of section eighteen (18) of the reformatory act.

In witness whereof said board of managers, by their president and secretary, have hereunto set their hands and caused the seal of said reformatory to be affixed this ——— day of ———, 189 .

[SEAL.]

Attest:

———, Secretary.

———, President.

Education of inmates:

High school.....	74
Common school.....	1, 172
None or poor	1, 362
Total	<u>2, 608</u>

Profession of inmates:

Apprentices	683
Cooks, waiters, and barbers...	166
Clerks, peddlers, and salesmen.	175
Farmers, laborers, miners, etc.	1, 055
Newsboys and messengers	233
Schoolboys.....	270
Professionals	25
Total	<u>2, 608</u>

Religious training of inmates:

Protestant	813
Catholic	865
Jewish.....	16
None.....	914
Total	<u>2, 608</u>

Ages of inmates:

10 years.....	14
11 years.....	44
12 years.....	64
13 years.....	122
14 years.....	140
15 years.....	197
16 years.....	249
17 years.....	315
18 years.....	400
19 years.....	525
20 years.....	515
21 and over.....	23
Total	<u>2, 608</u>

Birthplace of inmates:

United States	2, 260
Canada	30
Mexico.....	6
Haiti	1
England	26
Ireland	36
Scotland	3
France.....	6
Spain	1
Italy.....	19
Germany	122
Holland.....	2
Norway	12
Sweden	17
Denmark	7
Austria	4
Russia	10
Bohemia	11
Poland	30
Palestine.....	1
Greece	3
Hungary	1
Total	<u>2, 608</u>

Pecuniary condition of parents:

Very good.....	24
Moderate (i. e., accumulated) .	859
Poor	1, 725
Total	<u>2, 608</u>

Education of parents:

Very good (high school or better).....	73
Fair (fifth grade).....	1, 285
Poor and none.....	1, 250
Total	<u>2, 608</u>

Birthplace of parents.

Country.	Fathers.	Mothers.	Country.	Fathers.	Mothers.
United States	1,601	674	Norway	28	27
Canada	55	52	Sweden	47	47
Mexico	4	2	Denmark	18	14
Cuba	3	2	Austria	8	6
Haiti	1	1	Russia	20	16
Brazil	1	1	Bohemia	20	20
England	58	53	Poland	78	81
Ireland	270	136	India	1	1
Scotland	16	19	Palestine	1	1
Wales	2	2	Africa	1	0
France	17	16	Greece	4	4
Spain	2	0	Hungary	2	2
Italy	27	25	Portugal	1	2
Germany	319	293	Madeira Islands	1	1
Switzerland	1	2			
Holland	9	0	Total	2,608	2,608
Belgium	1	0			

Appropriations made by the State of Illinois to the Illinois State Reformatory.

From October 1, 1891, to November 30, 1892	\$117,700.00
From December 1, 1892, to August 31, 1893	118,850.00
From August 31, 1893, to September 30, 1894	256,850.00
From September 30, 1894, to September 30, 1895	156,253.50
From October 1, 1895, to September 30, 1896	225,125.00
From October 1, 1896, to September 30, 1897	309,750.00
From October 1, 1897, to September 30, 1898	287,500.00
Total	1,472,028.50

Governors who have served during the existence of the reformatory: Joseph W. Fifer, John P. Altgeld, John R. Tanner.

Names of members who have served on board of managers: Samuel Fallows, Chicago; J. R. Scott, Champaign; A. D. Cadwallader, Lincoln; Valentine Jobst, Peoria; Robert W. McClaughry, Chicago; John W. Ela, Chicago; Charles E. Felton, Chicago; Martin B. Madden, Chicago; Thos. C. MacMillan, Chicago; William Jackson, Rock Island; Frank Gilbert, Chicago; A. S. Wilderman, Belleville.

Present board of managers: Samuel Fallows, Chicago; Valentine Jobst, Peoria; William Jackson, Rock Island; Frank Gilbert, Chicago; A. S. Wilderman, Belleville.

General superintendents: Benjamin F. Sheets, Robert W. McClaughry, George Torrance.

RESULTS.**PAROLES.**

This institution received its first inmate as an Illinois State Reformatory January 8, 1893. Commencing with that date there have been enrolled a total of 3,668. Of this number there have been released on parole 2,045. The remainder are yet here or were discharged on expiration of sentence, except a very small number who died in the institution.

Of the number parolled 253 committed crime or were charged with having done so. Of this number 198 were returned, and 27 were convicted and sent to the penitentiaries. The latter were inmates whose guilt

was unquestioned, and as we were satisfied they were not fit subjects for a reformatory did not ask their return. This leaves 28 who have committed crime, or were charged with having done so, at large. The total number returned is 361. Deducting from this the 198 returned for crime we have 163 returned without any criminal charge against them, save for violation of their parole agreements, and it was thought longer treatment here was advisable.

To summarize this would show as follows:

Total paroles	2,015
Total paroled committing crime.....	253
Total paroled committing crime returned.....	198
Total paroled sent to penitentiaries	27

HEALTH.

The health of the institution, considering its numbers, has been remarkably good. The number of deaths during the two years past has been 13, out of a total average number of 1,200 the first year and 1,341 the second year, and some of these inmates were beyond medical aid when received.

DINING ROOM.

Tables are covered with white table cloths, and attractive and serviceable tableware is used. This greatly assists in improving table manners on the part of the inmates and exerts a wholesome influence in the direction of their discipline.

CAMPUS.

A vast amount of work has been accomplished in filling up and leveling the grounds of the institution, so as to afford ample room for the drill and parade of the inmates. A great deal of paving and sodding has been done, so that for utility and beauty the managers believe that a campus superior to this can not be found in connection with any other similar institution. The grounds are 300 feet by 190. They are expecting to have another campus of equal size in front of the new cell house. For the smaller boys a large playground has been set apart.

DISCIPLINE.

The discipline of the institution is of an excellent character, and is secured with but little severity in punishment. The officers of the institution are aiming not to lose sight of the fact in accordance with the instructions heretofore enumerated that the end of discipline is to work the reformation of the inmate. Firmness conjoined with kindness has accomplished the desired result. Very little trouble or disorder of a violent character has occurred during the past two years.

MILITARY DRILL.

The inmates are instructed in military tactics and each one of them drills three or four hours a week. This is not for exercise alone, as is

the case in many prisons and reformatories; these inmates get plenty of exercise otherwise, but it is of great aid in handling them on the parade ground, in the chapel, dining rooms, or other places when we get them together. That we succeed in improving them physically is conclusively shown by the fact that many of them when received are wrecks from dissipation and vice and in a few months gain 15, 20, or 25 pounds in weight, and look the picture of health, and really are what they appear to be. Regular hours of sleep, for eating, for work, for school, and for quiet amusements soon work a favorable change.

We are hoping in the near future to have a gymnasium and drill hall of sufficient size to accommodate fully 2,000 inmates, which number we expect to care for before the century closes.

COMMON SCHOOLS.

The rules of the institution provide that—

The common-school instructor shall, under the direction of the general superintendent, have the general management of the common schools of the reformatory, and be responsible for the progress of the inmates in the several classes therein. He shall examine inmates, on their entering the institution, as to their proficiency in the several branches of an English education, as taught in the common schools in the State; and shall assign each inmate to the class or classes he deems such inmate to be best fitted to enter; but he shall not establish such graded system as will deter the progress of any inmate who wishes to advance, but, rather, shall endeavor to cultivate that rivalry which will result in the making of the greatest progress by each individual of which he is capable. The common-school instructor, after examining an inmate as to his acquirements, shall report in writing to the general superintendent the information he has obtained, and the classes in school to which the inmate has been assigned; and he shall make such further written reports, relating to the progress made by individuals inmates as the general superintendent may request.

As a general thing the inmates when received are illiterates and without desire for an education, although there are exceptions to this rule. It requires the best disciplinarian and most painstaking teacher to accomplish good results with them. For this reason our teachers are selected with great care. None but those holding first-grade certificates and with records of successful work elsewhere are employed. The salaries paid, while not large, warrant the acceptance of positions here rather than in the country districts, and an increase in salary for successful work is always granted.

We send one-half of our inmates to the common schools in the forenoon and the other half in the afternoon, and the same is true of our trade schools.

INDUSTRIAL EDUCATION.

Under the law creating the reformatory and prescribing its management as before stated the institution is required to teach the inmates some useful and self-supporting employment. Very few remain long

enough to become experts; but, on the other hand, very few leave it without knowing enough about some useful occupation to earn their living. In each case the effort is to teach the boy during his detention what will do him the most good.

We are giving instruction so as to make them carpenters, stone masons, brick masons, plasterers, painters, paper hangers, glaziers, plumbers, tinnern, farmers, gardeners, electricians, engineers, firemen, blacksmiths, shoemakers, tailors, laundrymen, stone and granite cutters, printers, bookbinders, cabinetmakers, musicians, photographers, knitters, chair makers, bookkeepers, clerks, cooks, waiters, barbers, and nurses. So skilled do many become that it may truthfully be said we could build a workshop or residence from foundation to roof, painted in good style, with but little outside assistance, and that only supervisory.

Number of days worked by inmates of the Illinois State Reformatory:

From December 1, 1892, to August 31, 1894.....	258, 695
From October 1, 1894, to September 30, 1895.....	314, 354
From October 1, 1895, to September 30, 1896.....	376, 428
From October 1, 1896, to September 30, 1897.....	437, 413
From October 1, 1897, to September 30, 1898.....	438, 414
Total	1, 825, 304

FARM.

Having an excellent farm under a high state of cultivation, it occupies a large number of the inmates during the farming season. From early in the spring until late in the fall, boys who have been accustomed to farm life, or whom seem to have a taste for it, are employed in the field. The policy is to raise crops which require the least amount of machinery. It is safe to say that very few farms in Illinois produce as much per acre as the one which is the agricultural plant of the reformatory. No attempt is made to teach scientific, but practical farming only, especially the raising of vegetables for the table of the institution. So far as practicable, inmates who have worked on the farm are paroled to farmers, and the reports in such cases show the benefits of agricultural training.

RELIGIOUS INSTRUCTION.

We thoroughly believe in religious influences as a means of effecting a change of conduct in the inmates committed to us. A Young Men's Christian Association has been formed recently which includes a large number in its membership.

LECTURES AND MUSIC.

Lectures are given from time to time on moral and literary themes by the chaplain and many prominent speakers. The musical talent of the inmates is cultivated by means of good brass and string bands, and vocal culture.

LIBRARY.

Our library now numbers about 6,000 volumes and is one of the most efficient aids in attaining the good ends of the institution. The inmates draw out about 4,000 volumes per month—on an average 1,000 volumes are out continually. It is increasing constantly by appropriations from the State and by generous contributions from individuals.

SMALL BOYS.

We have taken special pains to separate the smaller boys from the larger ones in the conduct of the institution. They have separate buildings, separate playgrounds, separate schools, separate occupations. We have found it to be impracticable, however, to separate boys from boys as regards a tendency to depravity and criminality, merely on the line of age. Some small boys are far more advanced in the ways of wickedness than some larger boys. Constant effort is made to prevent moral contamination among these juvenile inmates.

BUILDINGS.

There are eleven brick structures within the inclosure of the reformatory and two frame buildings on the outside. With the exception of the old reform school building, all these have been erected by inmates, with the assistance of skilled labor. They have thus been practically taught a trade while engaged in the useful occupations connected with such construction.

In the buildings which have recently been erected full attention has been paid to their architectural construction, and the best methods of heating and ventilation have been adopted.

In conclusion I may be permitted to say, having been honored with the presidency of the board of managers from its organization, that the institution has been greatly favored in the character of its managers; also in the entire fitness of its general superintendents for their great responsibilities. The board of managers, in their report now being made to the governor of Illinois, pays the following tribute to the two latter whose terms of service are in part included in the biennial period covered by that report:

It was with great reluctance that we parted with Major McClaughry, as general superintendent, in the month of February, 1897, who went to Joliet to resume again the duties of warden of the State penitentiary. He had been mainly instrumental with Gen. B. F. Sheets, our first superintendent, in procuring the passage of the act creating the reformatory. Upon the resignation of General Sheets, he devoted himself to the development of the institution on the best reformatory lines known in our country. His wide experience, his acknowledged skill and wisdom, his wonderful power in dealing with men and boys who had violated the laws of society, were conspicuous in his management of the reformatory.

It is with very great gratification, however, that we have to announce the remarkable progress the institution has made under his successor, the Hon. Geo. Torrance, the present general superintendent. Mr. Torrance had long been a keen and practical observer of the nature and tendencies of reformatory and educational movements. He had served with distinction for several years in the State senate. He had made himself familiar, as a prominent lawyer and business man and by his long residence in Pontiac, with the needs and requirements of the institution. His success as the head of the reformatory has been a pronounced one in every particular. His mastery of details, his firmness and yet conciliatory attitude, his scrupulous carefulness in the matter of expenditures, his ability to read human nature, and his thorough devotion to the welfare of the institution are some of the many elements which have given him already an enviable position in the field of labor to which he has been called.



ILLINOIS STATE REFORMATORY.



ILLINOIS STATE REFORMATORY BAND.

KANSAS STATE INDUSTRIAL REFORMATORY, 1898.

COMPILED FROM OFFICIAL REPORT TO THE GOVERNOR OF THE STATE.

HUTCHINSON, KANS., *July 1, 1898.*

SIR: In obedience to the requirements of law, we, the board of managers, have the honor of submitting to you the second biennial report of this institution, beginning July 1, 1896, and ending June 30, 1898.

While the people of our State are, as time passes, becoming better acquainted with this institution, yet there still remains so much of misapprehension as to the treatment of inmates and the system of management here that it is not considered out of place to include in this report some items of information along those lines.

Everyone will admit that the existence of civil society or the state without government is an absolute impossibility. Civil society is the necessary result of man's nature, and government is a necessary result of civil society, having for its great object the maintenance of justice among men. Government has, in every age and in every country, claimed the right to inflict penalties on all who dared to violate its laws. This right, however, down to the beginning of the present century, was exercised with but very limited considerations of justice.

The most common punishments, in ages past, were those most easily inflicted. Offenders were often put to death in the most inhuman way, or branded or mutilated, and not infrequently sold as slaves. Enforced imprisonment with trial denied, and often even after acquittal, was another method which, if possible, was the most flagrantly abused. Even up to the last half of the eighteenth century, when such philanthropists as John Howard, William Blackstone, and Benjamin Franklin began to investigate and inspect prisons with a view to the ultimate mitigation of penal abuses, the prisons of England and elsewhere were found to be a disgrace to humanity.

The reformatory prison erected at Elmira, N. Y., in 1876, is at the present day justly regarded as the model reformatory prison of the world in its methods of dealing with young criminals. It was the original intention of our lawmakers of 1885, in creating this institution, to adopt as nearly as possible the Elmira plan, especially as relates to industrial education, the indeterminate sentence, the conditional release, and the grading system.

For the first felony for which anyone not under 16 years of age or over 25 is convicted, our law makes it discretionary with the trial judge

as to whether he sentence the offender to the penitentiary or to the reformatory. When sentenced to the reformatory, the sentence is indeterminate, limited only to the maximum period for which the offender might have been sentenced for the crime committed. The inmates are classified into three grades—first, second, and third; the first grade being the highest, with the second as the intermediate, and the third the lowest.

An inmate is allowed for perfect conduct five credit marks for each day; for imperfect conduct, lack of industry at labor, or want of diligent study in school, he loses such number of marks as the superintendent thinks just. All inmates in the second grade are promoted to first grade when they have earned 140 credit marks or over for each of six consecutive months. An inmate in the first grade failing to obtain 140 credit marks in any one month is reduced to the second grade; and the failure to obtain this number of marks by the second-grade inmate for any one month reduces him to the third grade. A failure by the third-grade inmate to obtain 100 marks during any one month subjects him to such punishment as the superintendent in his wisdom deems proper. One hundred and forty or more credit marks must be obtained for each of two consecutive months by the third-grade inmate to advance him to the second grade. No inmate is paroled from other than the first grade, nor is a parole granted to anyone until he can read and write the English language fairly well (exceptions made only when physical conditions render it impossible for an inmate to learn). Those in the first grade are permitted to write one letter per week; those in the second grade, one every two weeks; and those in the third grade, one every month. It requires eight months to go from third grade to first, and six months from second to first. At the close of this biennial period, the number of inmates in each grade was as follows: First grade, 70; second grade, 81; third grade, 35; total, 186. All inmates, on their entrance into the institution, are placed in the second (or intermediate) grade.

Parents and friends often go to a great deal of unnecessary trouble by getting up letters and voluminously-signed petitions in behalf of an inmate. The board rarely ever meets without being confronted with something of this kind. It is somewhat surprising, as well as annoying in many instances, to find the earmarks of a lawyer on every document. The law makes it the duty of the board to consider nothing but the merits of the inmate himself, and his ability to become a law-abiding citizen on the outside, not even permitting them to consider outside influences of any kind. In very extreme cases, where an inmate is dying by inches with a disease that requires treatment which can not be had in the institution, and such special treatment is assured by parents who are financially able to procure the same, we deem it only just to parole such a one, so that he can take advantage of such treatment; or, where the condition of inmates is

such that recovery is pronounced to be absolutely impossible by our physician, we lose sight of grade standing and, as an act of humanity, turn them over to friends, to die at home surrounded by those most dear to them; but, with these very rare exceptions, none are paroled on other than meritorious grounds based upon their good deportment. When an inmate is sent to this institution the only end in view is his reformation. He is not sent here to atone for a crime committed. The simple facts are, that his conduct in free life was such as to render him dangerous to civil society, and he is sent to this reformatory to undergo such treatment as may be necessary to enable him again to assume the responsibilities of citizenship. If the foregoing propositions be true, what effect should the letters and petitions above alluded to have on a board sworn as such to do its duty according to law? We entertain only the most profound respect and sympathy for worthy parents whose sons have gone astray, thus rendering their detention here necessary; but for the lawyer who will take a fee from a poor, distressed, and widowed mother, under such circumstances, knowing, in reason, when he does so that he can not shorten her son's time a single hour, we entertain the most profound contempt.

Statistics herein contained show that, at the beginning of this fiscal period, July 1, 1896, there were in the institution 107 inmates; that during the fiscal year ending June 30, 1897, the prison population increased to 168; and that the year ending June 30, 1898, showed a population of 186 inmates. These figures, unexplained, would be misleading, from the fact that the population of the institution increased 57 per cent during the first of the years mentioned, while the last year covered by the report shows but an increase of $10\frac{5}{7}$ per cent. It will also be seen that, from July 1, 1896, to June 30, 1897, there were received into the institution, direct from the courts, 140 inmates; and for the succeeding year, running from July 1, 1897, to June 30, 1898, 137 were received from the above source, showing practically no difference in the annual numerical supply.

The slight increase in the prison population during the year ending June 30, 1898, as shown by comparing the population at the close of each of the two years embodied in this report, is due to the fact that a lack of cell-room facilities has compelled the board to either limit the number of inmates to the cell-room accommodations, by a more liberal exercise of the paroling power, or to permit more than one man to occupy the same cell. After careful consideration, the board decided to adopt the first of the two alternatives (that of a more liberal exercise of the paroling power), exercising the utmost care and caution at all times in its execution.

In March last we had 205 enrolled, and for two or three months thereafter our count did not fall below the 200 mark; but owing to the excellent opportunity for obtaining employment during the harvesting season, a condition of itself that would in a large degree prevent a return

to vice and crime, we reduced our number to its present limit, which is 186. Including the 48 temporary cells, for the building of which the legislature at its last session appropriated \$5,000, we have 195 cells in use, and on the completion of the upper tier of cells in the original cell block, which was kindly provided for by the same legislature along with the erection and completion of the central building, by an additional appropriation of \$25,000, we will have 50 more, or 245 cells in all. With these 245 cells the institution will have to run until an additional cell block can be provided for and built.

We have the pleasure of reporting that our farm is in fine condition. We have fenced the 80 acres on which the buildings stand with a first-class galvanized 11-wire fence, painted cedar posts one rod apart, with iron gate at each entrance. We have also built a similar fence $4\frac{1}{2}$ feet high with but five wires around our entire farm, along with two central lines of 1 mile each, made necessary by the public road extending north and south through the farm. Added to this, we have built 560 rods of good, substantial wire fence made necessary for the inclosure of our hog pasture, cattle pasture, and stock lots. This makes a total of $9\frac{1}{4}$ miles of fence built during this biennial period, $1\frac{1}{2}$ miles of which is 6 feet in height with eleven wires, and $7\frac{3}{4}$ miles $4\frac{1}{2}$ feet high with five wires.

In addition to these improvements, we might mention that we have built a temporary stable large enough for the accommodation of our 24 milch cows, also 16 hogsties for breeding purposes, and have supplied all our lots and pastures with an abundance of water, conveyed by piping from our water mains.

We have growing on the 80-acre tract upon which our buildings are located 1,200 apple trees, 300 peach trees of best variety, 80 pear trees, 700 cherry trees, 50 crab-apple trees, 100 plum trees, 1,000 grapevines, and 2,000 shade trees, including elm, sugar maple, soft maple, weeping and standard mountain ash, locust, and mulberry. In addition to the 1,200 apple trees above mentioned, we have planted a 12-acre orchard of apple trees on the bottom land immediately adjoining the above 80 on the south.

The report of the storekeeper shows that the value of the farm products, estimated at current prices, consumed during the fiscal year ending June 30, 1897, was \$4,156.09, and that the amount consumed during the fiscal year ending June 30, 1898, was \$8,112.74, showing an increase of products consumed in favor of the last year of nearly 100 per cent.

A better idea of the net value of the farm to the institution may be had from the following table:

Increase in value of cattle from July 1, 1897, to June 30, 1898	\$635.00
Increase in value of hogs from July 1, 1897, to June 30, 1898.....	200.00
Products consumed during same time.....	8, 112. 74
	<hr/> 8, 947. 74

Expended for stock from July 1, 1897, to June 30, 1898.....	\$1,000.00
Value of seeds and plants used	211.00
Value of feed consumed (corn, hay, etc.)	1,380.00
	<hr/>
	\$2,591.00
Leaving a net profit to the institution.....	6,356.74

While the profits of the farm are increasing, and will continue to increase by proper management, when stocked to its fullest capacity and fruit crops can be realized from the extensive orchards heretofore referred to, until an average showing can be made of nearly double that of the last fiscal year, yet the difference as shown in the two years embraced in this report is in part to be attributed to the increased slaughter of hogs and cattle, as well as to the increase in our wheat acreage, so that the percentage of increase here shown can not be constant.

No pains will be spared by this management to make this farm an important source of revenue to the State, not only because of financial considerations, but for the added reason that it furnishes healthful and attractive employment for our inmates when not at school, and it has also an important educational value.

The report of the superintendent of the farm shows that we have 112 head of cattle of all ages, valued at \$2,657, and 190 head of hogs, estimated at \$1,230. This, with the limited means at our disposal, must be regarded as a very fair showing; but the farm can not show its maximum profits until the present number of both cattle and hogs is doubled or trebled, and one crop of corn, say 12,000 bushels, is carried over from year to year as a protection against an occasional crop failure.

Statistics herein submitted show that during this biennial period 178 paroles have been granted, and only 5 have been rearrested and returned for further treatment. It must not be presumed from these figures that the remaining 173 have been reformed. There are 2 others out on parole who will be returned as soon as found, and others, as shown by statistics, who are neglecting to write regularly, which in the main is due as much to carelessness as to a disposition to be disobedient, may require similar treatment; but upon the whole, from the best data obtainable, we fully believe that at least 75 per cent of those paroled will never go back to crime again, but will become useful and valued citizens. In order, however, to secure the best possible results some amendments should be made to the law.

Section 9 of chapter 200 of the session laws of 1895 gives the board of managers authority to transfer to the penitentiary any inmate who subsequent to his committal shall be shown to their satisfaction to have been at the time of his conviction more than 25 years of age or to have previously been convicted of crime, and it may also transfer any apparently incorrigible prisoners whose presence in the reformatory is detrimental to the well-being of the institution.

This law has been decided by an appellate court of the State to be

unconstitutional. This decision compelled the management to return from the penitentiary to the reformatory 9 very bad men, who had been transferred to the penitentiary for incorrigibility under the law alluded to. It denies the right to make further transfers in future, whereby it compels the reformatory to retain quite a number of ex-penitentiary convicts, skilled in all the prison vices, and also a number of vicious and incorrigible men otherwise eligible, whose presence is exceedingly harmful to the better class of inmates. This decision seems to be grounded upon the proposition that transferring the inmate from the reformatory to a more penal institution is a judicial and not a ministerial act—that the powers of the board are purely ministerial, and that the legislature can not vest a ministerial board with judicial functions.

Very obediently, yours,

WM. J. LINGENFELTER, *President.*

T. J. O'NEIL, *Treasurer.*

J. J. MILLER, *Secretary.*

Hon. JOHN W. LEEDY,
Governor.

RULES AND REGULATIONS.

RULES AND REGULATIONS FOR THE GOVERNMENT OF THE OFFICERS AND GUARDS.

I. Officers and guards shall wear the uniform prescribed by the general superintendent. They shall always maintain a tidy appearance, and a dignified, manly bearing. They shall not hold any unnecessary communication with each other while on duty, nor make as topics of conversation, at the reformatory or elsewhere, either the institution, its officers, the inmates, or their own duties in any particular. It is distinctly understood that the time of each officer of the reformatory belongs wholly to the State, and they will not be permitted to leave their duty nor engage in any work of their own, during working hours, without permission of the superintendent. Employees must give their strict attention to the manner in which their duties are performed, and must respectfully receive every suggestion in regard thereto from the proper authority. Leave of absence with continued pay, whether on account of sickness, for business purposes, or vacation, is limited to fifteen days in each year. Pay will be stopped for absence over and above fifteen days, unless on application and after consideration the government of the reformatory should exceptionally order otherwise. Upon good character, proper deportment, and faithfulness to duty depend their success and retention in service.

II. The officers and guards shall be the agents of the superintendent in enforcing the discipline. All employees are expected to perform to the best of their ability any and all duties that may be assigned to them. The officers of the institution are only the servants of the State, and it is their duty to carry on the business of the institution in the best possible manner, with due regard to economy. Each officer will be held responsible for all the property intrusted to his care, and he must not convert to his own private use State property or the belongings of inmates.

III. While within the reformatory the officers and guards shall refrain from singing, whistling, immoderate laughter, exciting discussions on political, religious, or other subjects, exciting witticism, sarcasms, and all other acts calculated to disturb

the harmony and good order of the reformatory, ever bearing in mind that it is the duty of each and every one of them to treat one another with that mutual respect and kindness that become gentlemen and friends, thereby avoiding all collision and jealousies among themselves. Officers and guards are forbidden to criticise each other's acts or methods in the presence of inmates. Employees shall not loaf about the offices, kitchen, cell houses, or other departments; neither shall any employees be allowed to use tobacco in any form in the institution or on the farm; nor shall they engage in reading or writing (other than necessary entries), or any other employment calculated to interfere with constant watchfulness and the safety of the institution.

IV. Any employee found asleep while on duty, who is found guilty of willful disobedience of orders or gross neglect of duty, or found with intoxicating liquors on his person or among his effects, or who is found at any time under the influence of the same, here or elsewhere, shall be immediately suspended or discharged.

V. They shall keep the inmates under their charge diligently at work, and exercise the utmost care to have such work done in a workmanlike manner, and also require the greatest possible cleanliness among the inmates, their person and clothing, and in their sleeping apartments.

VI. They shall not allow inmates to leave their work without permission, and no one intrusted with an outside key shall relinquish the possession of it, nor admit any person to the cell house or other departments, unless on advice of the superintendent, or accompanied by an officer.

VII. Everybody connected with the institution must be vigilant in guarding against the escape or clandestine correspondence of the inmates. Letters and packages to and from the inmates must pass through the assistant superintendent's office. Opinions respecting the standing or prospects of inmates shall come from the superintendent or the board of managers only.

VIII. They shall instruct the inmates, and especially the illiterate ones, in all the rules of the reformatory necessary to their government, and mildly but firmly admonish them on the least appearance of insubordination. It is every officer's duty to report impartially all violations of the rules and regulations to the superintendent.

IX. No paroled inmate will be allowed the liberty of the institution. Officers are forbidden to invite any friends or visitors to remain at meals, or spend the night in the institution, without permission of the superintendent. The State horses and carriages shall not be used by any officer under the superintendent without his permission. No officer under the superintendent is permitted to leave the institution without his consent.

X. Officers and guards are forbidden to give or receive any gift, or trade, buy from or sell to any inmate any article whatever, no matter how trivial in value; nor shall they convey to inmates any information, nor carry or allow any communication whatever between them and outside persons; nor shall they hold any conversation with them except in relation to immediate duties, and then the conversation must be brief and to the point.

XI. All guards will report to the cell houses, and station themselves at such places, and march with the inmates, so that their every act and move may be observed. No officer is permitted to strike an inmate with a cane or stick, or with the fist, or any weapon, unless it be in self-defense or to quell an insurrection, nor shall they use any profane or indecorous language to them or in their presence, and shall always treat them in a kind and uniform manner, and are prohibited from making any threats when reproving an inmate or directing him in his work.

XII. Guards designated to lock and unlock and take charge of details must at all times be ready for such duty at the hour designated, without special notice. As soon as inmates are locked up for the night, each guard shall report immediately to the assistant superintendent the number of men he has locked up.

XIII. Any details required must be made known to the superintendent or assistant superintendent, and no detail shall be made except by his direction. Any officer

having a detail placed in his charge will be held responsible for their immediate return to their cells when relieved from work, and all such details shall march to their cells and return to their work in proper order, and not be permitted to lounge around the yard. All officers receiving a detail must always be careful to return every individual inmate placed under their charge. Great care must be taken to select safe men for any special work, so as to prevent any possibility of an escape. Officers on duty anywhere must not leave same for any purpose, unless relieved by some officer detailed for that purpose.

XIV. Officers who sleep at the reformatory are required to be in their rooms not later than 9 o'clock p. m. If for any special reason they desire to remain out until a later hour, they must first obtain permission from the superintendent. It will be the duty of every officer, except those on night duty, to attend both morning and afternoon services on Sunday at the institution, unless excused by the superintendent.

XV. None of the officers, except those who are detailed for duty, will be allowed or permitted to work on Sunday. No clerical work will be allowed in the offices, except letter-writing. No work shall be done by the tailoring department or shoe department for any officer of the institution, including the superintendent and the board of managers, except such as is necessary for the individual officer himself. It is distinctly understood that no officer, including the superintendent and the board of managers, can be permitted to use or purchase anything from the storeroom or from any other department of this institution, under any circumstances whatever. Neither is any officer permitted to appropriate the labor of any inmate for his individual use, except as above provided, and the help in the superintendent's department and the barber shop. No officer will be allowed to use any of the postage stamps belonging to the institution for his private use.

XVI. Children of the officers and keepers are not allowed to pass through the prison gates except by special permission of the superintendent, and then only when accompanied by their parents. This rule applies to all other children as well as children of officers and keepers.

XVII. All officers must be prompt in the performance of their duties. Frequent tardiness, negligence, and mistakes on their part will retard their advancement, if not totally disqualify them for usefulness in the institution. They are also required to observe the strictest economy in the care and use of the machinery, light, water, tools, materials, etc., and they may be called upon at any time to perform extra or special duties, to fill vacancies, or in unusual emergencies. No officer shall exchange his duty with another officer, except by consent of the superintendent or the assistant superintendent.

XVIII. The usefulness and good reputation of the reformatory require that all persons employed therein shall pay their debts faithfully. It is the intention of the management not to retain in the employ of the reformatory any officer or guard who neglects or refuses to pay his debts contracted while employed here, and whose delinquency is repeatedly called to their attention by the creditors.

XIX. No officer is allowed or permitted to interfere with another officer's detail, but is required to attend strictly to those inmates intrusted to his care. Guards shall not pass any inmate except on pass signed by the superintendent or the assistant superintendent. Escapes must be prevented at all hazards.

XX. It shall be the duty of the superintendent to carry out the written orders and instructions that will be adopted from time to time by the board of managers. Any officer of the institution who is guilty of grossly and willfully violating any of the foregoing rules shall be immediately suspended or discharged.

RULES AND REGULATIONS FOR THE INMATES.

CONDUCT RULES.

I. Each inmate shall keep his cell in order—floor, walls, and furnishings clean. He shall not in any way mar or deface it or anything belonging thereto, and shall use his night bucket as a spittoon.

II. At the striking of the first gong in the morning he shall rise, wash, fully dress make up his bed, and put his cell in order ready for inspection, to which it will be subject at all times.

III. At the sliding of the bar he shall open his door quietly, step out, close it, and march from the corridor, taking his night bucket with him.

IV. On entering his cell he shall close the door quietly, and at all counts stand with his right hand clasping a bar of his door until a satisfactory count has been made by the officer.

V. He shall at all times when in his cell remain quiet, and shall retire at the striking of the second gong at night, and from that time silence must be observed until the striking of the first gong in the morning.

VI. Each inmate shall labor faithfully and diligently to perform such tasks as may be required, obey all orders promptly, be quiet, and when not at work remain in the place designated by the officer in charge.

VII. When an inmate wishes to speak to an officer, he shall salute him by raising his right hand to his forehead, then drop it to his side, and remain in a respectful attitude while the conversation lasts.

VIII. An inmate shall not, without the consent of the superintendent or officer in charge, hold a conversation with any one from outside of the reformatory, nor shall he under any circumstances turn from his work to gaze at visitors.

IX. In the chapel each inmate shall take the place assigned him, and give respectful attention to the service. All conversation or any unnecessary noise is forbidden.

X. Each inmate shall be prompt in taking his place in line, double file, elbows touching, 14 inches from breast to back; shall march with head and eyes to the front, hands by the side; must not lose distance, but keep well closed up. Talking, laughing, or fooling in lines is strictly forbidden.

XI. Prompt and respectful obedience to officers is required. Insolence to officers and unruly and boisterous conduct are especially forbidden.

XII. Any inmate who wishes to see the superintendent or assistant superintendent may make known his desire to his officer, and the officer to whom such request is made shall see that the superintendent or his assistant is notified.

XIII. When inmates are in the cell house, and are permitted to remain outside of their cells, each inmate shall be seated in front of his cell, and shall only be permitted to talk to the inmate who is seated immediately on his right or left, and will not be permitted to move around the corridors or talk to other inmates unless by permission of the officer in charge of the cell house. No inmate will be permitted to enter the cell of another inmate under any circumstances, unless by the permission of the officer in charge of the cell house.

XIV. When inmates are locked in their cells they shall not be permitted to carry on a conversation with anyone, except with an officer. They shall not be allowed to whistle, sing, or make any unusual noise of any kind.

XV. Any inmate guilty of any serious breach of discipline may be taken by officer in charge of detail to the cell house, and upon request of said officer the keeper of the cell house shall keep said offender locked in his cell or in the dark cell until such time as the superintendent can give a hearing in said case—the superintendent to be notified by such officer at once.

XVI. All inmates must go to their meals, unless too sick to go, and then must notify the cell-house officer. Inmates must not leave their cells without permission; must keep their night buckets in place; books, papers, etc., must be kept in order, and they will not be allowed to have ink in their cells. Cells must be swept before breakfast and after dinner, and be kept clean. Beds must be made according to instructions, and lamps and chimneys must be kept clean.

XVII. Inmates must keep their clothing on the hooks provided for that purpose, and not hang anything on or over the light. Only one person will be allowed in the closet at one time. When the gong rings once, absolute quiet is required in the cell house. Sheets, pillow-slips and towels will be changed once a week, and oftener if necessary.

XVIII. If the cell furnishings, clothing or shoes are worn out or need repairing, notify the cell-house officer. Each inmate will be furnished with mirror, comb, tin cup, toothbrush, wash basin, broom, blacking brush, water bucket, whisk broom, hair brush, night bucket, for the safe-keeping of which they are responsible. Should any article wear out, notify the cell-house officer, and he will exchange it for you, but do not throw any of them away or remove them from your cell.

XIX. Obey the orders of your officer promptly. When corrected for fault, heed correction, but do not reply. Tobacco in any form is prohibited. The possession of tobacco necessarily implies "crookedness" in the obtaining of it; it is therefore declared contraband, and its possession treated as a serious offense.

XX. Assisting in, conniving at, or being in any way accessory to a violation of the rules by others will render you liable to a report, the same as the actual offender.

XXI. It is the express declaration of the law that no applications for release shall be made by friends or relatives. Each inmate must by his conduct and character gain the confidence of the management. While the management will not lessen your right to parole if your friends so apply, provided you have no knowledge of such efforts by them, yet, should you have knowledge of such efforts and fail to notify the management thereof, and fail to tell your ill-advised friends to refrain from such act, it will seriously affect your going out upon parole.

XXII. Correspondence is confined to members of inmate's immediate family—father, mother, brother, sister, or wife—except in important cases, with special permission of the general superintendent.

XXII. The board of managers will meet once every month as a parole court, and no application for parole will be considered at any other time.

XXIV. Every inmate shall attend school at least one session each school day, and no inmate shall be excused from regular attendance except he show physical disability. Before an inmate can be paroled he must show a desire to learn, which may be evidenced by regular voluntary attendance at school and honest efforts to perform his tasks as assigned by teachers. The days absent from school, without sufficient cause, shall count against an inmate when applying for a parole. Tardiness at school shall not be tolerated, and officers are required to see that inmates perform their tasks on time, and are sent to school promptly. The schoolroom etiquette and rules shall be prescribed by the principal. All inmates of first-reader grade and under must attend every afternoon session of school.

LIST OF OFFENSES.

Altering clothing.	Not promptly out of room when brake is drawn.
Bed not properly made.	Profanity or vulgarity.
Destroying property or clothing.	Quarreling.
Dirty room or furnishings.	Refusal to obey.
Disobedience of orders.	Refusing to give name or number.
Disorderly cell.	Shirking.
Eating before signal.	Spitting upon the floor.
Fighting.	Staring at visitors.
Gaping about while at work.	Stealing.
Insolence to officers.	Talking from cell to cell.
Inattention at chapel.	Talking in chapel.
Idleness while on duty.	Talking in dining room.
Laughing and fooling.	Talking, while at work, without permission.
Lying.	Vile language.
Marking, writing upon, or in any way defacing the walls.	Using tobacco in any form.
Not at door for count.	Whispering or listening.
Not promptly in room when brake is drawn.	

GRADE RULES.

I. Inmates of the reformatory will be classified into three grades—first, second, and third—the first being the highest, the second the intermediate, and the third the lowest.

II. An inmate shall be allowed, for perfect conduct, industry, and labor, and diligence in study, 5 credit marks for each day; for imperfection in conduct, lack of industry and labor, or want of diligence in study, he shall lose such number of marks as the superintendent may decide.

III. Each inmate committed to the reformatory will enter the second grade, and all inmates in the second grade will be promoted to the first grade when they shall have earned 140 credit marks for each of six consecutive months.

IV. If an inmate of the first grade shall fail to obtain 140 credit marks during any one month, he will be reduced to the second grade; and the failure to obtain this number of marks by the second-grade inmate for any one month will reduce him to the third grade; and failure by the third-grade inmate to obtain 100 marks during the month will subject him to such punishment as the superintendent in his judgment may prescribe.

V. One hundred and fifty credit marks will be allowed for the month of February, if 5 credit marks be gained in each day of said month.

VI. One hundred and forty credit marks must be obtained for each of two consecutive months to advance an inmate from the third grade to the second grade.

VII. Serious breaches of the peace or discipline of the reformatory will cause an inmate to be reduced to the third grade, or to suffer such punishment as the superintendent may direct.

VIII. The superintendent will determine the number of marks to be deducted for the various offenses.

IX. No inmate will be paroled from this institution until he can write, read, and spell the English language reasonably well, and until by his good conduct the management is convinced that he is thoroughly reformed.

X. Promotions from one grade to another will be made on the 3d day of each month, except when that day shall fall on Sunday, when the promotions will take place on the 4th day.

XI. Inmates of the first grade may write one letter every Sunday, those in the second grade every second Sunday, and those in the third grade one letter each month.

XII. Inmates will not be allowed to visit or associate with an inmate who is in another grade, under any circumstances whatever. The various grades will be seated in the dining room at a table by themselves.

XIII. Inmates who are in the first grade will occupy cells on the third floor of the cell house, those in the second grade will occupy the second floor, and those in the third grade will occupy the first floor.

XIV. Inmates in the first grade, while in the cell house, will be governed by rule No. 13 of the conduct rules; those in the second and third grades will be locked in their cells while in the cell house, and will not be permitted, under any circumstances, to visit from cell to cell.

XV. Paroled men who violate their parole by gross improprieties or by crime, or who are apparently in the way to commit crime, when arrested and returned to the reformatory will be placed in the second grade, to work through their release in the ordinary way.

XVI. Inmates who escape, or who attempt to escape, or who have knowledge of an attempt to escape and fail to communicate it to an officer of the reformatory, will be reduced to the third grade, and remain in such grade as they may prove worthy of until the expiration of their maximum term, less the good time allowed them if they were confined in the State penitentiary.

GENERAL RULES.

I. Inmates must be in the cell house promptly at 8 o'clock p. m., alone, **excepting** two barn boys, and they to remain in the guardroom when **not** on duty.

II. The stamping of letters by parties who have the right to use stamps of the institution shall be done by the clerk; and the clerk is hereby directed to see that **all** electric lights in the administration building are turned off when not needed, and none to be left burning when not absolutely necessary.

III. The engineer shall see that the lights are turned off at such times and hours as they are not absolutely needed, and at no time shall any light be used except such as is necessary for the proper transaction of business in the cell houses and working departments of the institution; and the storeroom and kitchen must be closed and vacated promptly each evening at 8 o'clock.

IV. Visiting day is confined to one day each week, and that day shall be Friday and the hours from 2 to 5 p. m. This rule shall be strictly adhered to, except in cases where parties come from a distance and are desirous of being shown through the institution.

V. All officers equipping their details with tools belonging to the farm, or tools belonging to any other department, must return tools every evening to where they belong.

VI. Visitors are not permitted to talk to any inmate without permission of the accompanying guard, and under no circumstances will they be permitted to give anything whatever to an inmate or receive anything from them without permission of the superintendent.



GEN. ROELIFF BRINKERHOFF.

THE REFORMATION OF CRIMINALS.

OHIO METHODS—PROGRESSIVE STEPS IN LEGISLATION AND ADMINISTRATION.

By Gen. R. BRINKERHOFF,
Chairman Ohio Board of State Charities.

That reformation, rather than punishment, should be the main object in dealing with the criminal classes was a conviction that found expression at the very threshold of Ohio history, and was embodied in the organic law of the State more than a hundred years ago, and some knowledge of its evolution, as shown in legislation and administration, is absolutely essential to a proper understanding of existing conditions, for prison reform, external and internal, in Ohio is an evolution from within rather than an importation from without.

For high intelligence, broad statesmanship, and moral worth, the pioneers of Ohio have had no superiors among the founders of States.

LEGISLATIVE BEGINNINGS.

The first English-speaking settlement within the present boundaries of the State of Ohio was established at Marietta July 13, 1787, under the ordinance creating the northwest territory.

The first legislation in regard to crime and criminals was formulated by the governor and judges, authorized by Congress, and was promulgated at Marietta September 6, 1788. This criminal code specified twenty offenses to which penalties were provided. The only offense punishable by death was murder. This is probably the first criminal code in the world in which the death penalty was limited to one offense. Six years later (1794) Pennsylvania followed this example, and since then nearly all of the States have adopted the same rule.¹

Manslaughter was punishable in accordance with the requirements of the common law of England; arson, by whipping not exceeding 39 stripes, the pillory not exceeding two hours, imprisonment in jail not exceeding three years, and full damages in money if the offender's estate would suffice; burglary and robbery, similar to arson; riots, fine

¹ The death penalty was inflicted by hanging until 1895, when it was supplanted by electrocution, as more humane, but in 1898 (O. L., vol. 93, p. 223) the death penalty was left to the jury, which means in most cases the substitution of imprisonment for life.

not exceeding \$16 and surety for good behavior; for obstructing authority, whipping not exceeding 39 stripes and security for good behavior; perjury, fine, whipping, or pillory, and disfranchisement; larceny, restitution, whipping, or imprisonment not exceeding seven years; forgery, fine and pillory; usurpation, assault and battery, or fraudulent deeds, fines; disobedience of children and servants, jail and house of correction until subdued; drunkenness, fine 5 dimes for first offense, and \$1 for any succeeding offense.

The code closed with the two following sections:

SEC. 21. Whereas idle, vain, and obscene conversation, profane cursing and swearing, and more especially the irreverently mentioning, calling upon, or invoking the sacred and Supreme Being, by any of the Divine characters in which He hath graciously condescended to reveal his infinitely beneficent purposes to mankind, are repugnant to every moral sentiment, subversive of every civil obligation, inconsistent with the ornaments of polished life, and abhorrent to the principles of the most benevolent religion, it is expected, therefore, if crimes of this kind should exist, they will not find encouragement, countenance, or approbation in this Territory. It is strictly enjoined upon all officers and ministers of justice, upon parents and others, heads of families, and upon others of every description, that they abstain from practices so vile and irrational; and that by example and precept, to the utmost of their power, they prevent the necessity of adopting and publishing laws, with penalties, upon this head. And it is hereby declared that government will consider as unworthy its confidence all those who may obstinately violate these injunctions.

SEC. 22. Whereas mankind in every stage of informed society have consecrated certain portions of time to the particular cultivation of the social virtues and the public adoration and worship of the common parent of the universe, and whereas a practice so rational in itself, and conformable to the divine precepts, is greatly conducive to civilization as well as morality and piety; and whereas for the advancement of such important and interesting purposes most of the Christian world have set apart the first day of the week as a day of rest from common labors and pursuits, it is therefore enjoined that all servile labor, works of necessity and charity only excepted, be wholly abstained from on said day.

Of course this code was mainly prospective, for as yet there were no jails or pillories in the Territory, and it was not until August 1, 1792, that a law was enacted requiring each county to erect jails and "also a pillory, whipping post, and as many stocks as may be convenient for the punishment of offenders," and each jail was to have two apartments—one for debtors and one for criminals.

This criminal code remained in force without any material changes or additions until after the admission of Ohio as a State in 1802, and the organization of its first general assembly in 1803.

REFORMATION TO THE FRONT.

The first constitution of Ohio, adopted in 1802, is a monumental document in many ways, but especially in its attitude toward crime and criminals, for it anticipated by many years the central idea of modern penology that reformation rather than punishment should be the objective point in dealing with criminals, and that indiscriminate severity, instead of preventing, created crime. These declarations are

contained in Article VIII, Section XIV, of this remarkable document, as follows:

All penalties shall be proportioned to the nature of the offense. No wise legislature will affix the same punishment to the crime of theft, forgery, and the like, which they do to those of murder and treason. When the same undistinguished severity is exerted against all offenses, the people are led to forget the real distinction in the crimes themselves, and to commit the most flagrant with as little compunction as they do the slightest offenses. For the same reasons a multitude of sanguinary laws are both impolitic and unjust, the true design of all punishments being to reform, not to exterminate, mankind.

OHIO PENITENTIARY.

The first penitentiary in Ohio was built in 1813, in the city of Columbus. It was a brick building 60 by 30 feet in size and 3 stories high, which included the basement, partly below ground. The basement contained the living rooms of the prisoners, and could only be entered from the prison yard. The second story was the keeper's residence. The third, or upper, story contained the prisoners' cells, 13 in number, 9 of which were light and 4 dark cells. The prison yard, about 100 feet square, was inclosed by a stone wall from 15 to 18 feet high.

In 1818 a new brick building was erected and the prison yard enlarged to about 400 by 160 feet, inclosed by stone walls 20 feet high.

In 1832 a new penitentiary was authorized and the present location on the banks of the Scioto was secured, and in 1834 the new building was occupied, and there it has since remained. From time to time it has been enlarged, until at present it has a prison population of over 2,000.

It has always been operated upon the Auburn system, with associated labor by day and cellular separation at night.

Prior to 1834 the labor of the prisoners was employed upon State account in blacksmithing, cabinetmaking, coopering, weaving, and tailoring, the manufactured articles being sold or exchanged for provisions or raw material. Prison labor was also largely employed in erecting the statehouse and new penitentiary. After 1834 and until 1885 the labor of prisoners in the main was employed under the contract system, and the Ohio Penitentiary in its discipline and industries did not differ materially from other prisons in other States, and on the average compared fairly well with such prisons.

REFORM SCHOOL FOR BOYS.

The first long step forward in dealing with the delinquent classes was in 1857, under the administration of Governor Salmon P. Chase, and largely owing to his initiation.

By act of the general assembly passed April 16, 1857 (O. L., vol. 54, p. 175), section 7 provides:

There shall be established a reform school, to be called the Ohio State Reform Farm, for the reception of such youth therein as may be sent thither under section 9 of this act and as may be provided by law.

Section 2 of the act provided for a board of commissioners of three members, to be appointed by the governor, to carry out the provisions of the law.

Section 8 provided:

That said State Reform Farm shall be established by the board of commissioners, and under their control and supervision, upon a body of land containing, as near as may be, 1,000 acres of land.

Section 9 provided that upon obtaining possession of such farm accommodations for 40 male youths should be provided, and that the commissioners should select from the House of Refuge, at Cincinnati, the Ohio State Penitentiary, and the county jails of the State such boys as they should deem suitable for being received upon said State Reform Farm, "and said 40 boys shall constitute the first family of said reform farm."

After that, in section 10, the law provided that—

Whenever any minor male under the age of 18 shall be found guilty of an offense or crime against the laws of the State, the court shall have power to sentence the defendant to be committed to the reform school.

Section 11 provided that—

In all cases when received, said minors shall be under the control of the authorities of the reform school until legal age, and said authorities shall at all times have power to apprentice them, and said minors shall be discharged from any reform school only upon order of the authorities aforesaid or in due process of law.

This law was introduced and championed in the house by Hon. James Monroe, afterwards a member of Congress for three terms, and for many years a professor in Oberlin College.

THE AMERICAN METTRAY.

The first three commissioners of this institution, and its famous superintendent, Mr. George E. Howe, who for twenty years shaped its destinies, were remarkable men and are worthy of a memorial volume, but suffice it to say here that the special form impressed upon this institution, which has since been known as "the family system," was due largely to Commissioner Charles Reemelin, of Cincinnati. His associate commissioners were John A. Foote, of Cleveland, and James D. Ladd, of Jefferson County, both able and eminent citizens and admirably qualified for their work.

Mr. Reemelin was a German by birth and of high culture in German universities, who had come to America early in his career and obtained fame and fortune in the land of his adoption. He proposed to his associate commissioners, after they had visited various reformatories in America, that he should go to Europe at his own expense and see what he could find there. This was assented to, and after months of travel and observation in foreign lands he returned and reported a plan for the Ohio State Farm, based upon the methods of the juvenile reformatory at Mettray, France. His report was adopted in the main

by his associates, and our American Mettray was established on a farm of 1,210 acres in Fairfield County, 6 miles south of the city of Lancaster, and the original cottage for "40 male youths" has since been transformed into a village now numbering a population of about 800.

The first family buildings were four in number and built of hewn logs 2 stories high, and the old farmhouse was used as an administration building.

From the beginning prison walls and grated doors were abolished, and each cottage under the charge of an "elder brother" and his wife was a family by itself, and now, as then, in every cottage its members attend school, work in shops or upon the farm, go to church, and play upon the open grounds the same as the boys of any other well-regulated village. This institution became a model for juvenile reformatories all over the United States, and is now known as the Boys' Industrial School, and a large majority of its graduates have become honorable and self-supporting citizens.

Since the opening of this institution there have been various minor changes of legislation in regard to it, and for many years it has had a board of managers of five members instead of three, but in the main it has been conducted upon the lines laid down by its founders, and its accommodations have kept pace with the increasing population of the State.

REFORM SCHOOL FOR GIRLS.

A reform and industrial school for girls, now known as the Girls' Industrial Home, was authorized by act of the general assembly passed May 5, 1869 (O. L. Vol. 66, p. 110) and was established in Delaware County, and is similar in character and administration to the Boys' Industrial School, and has an average population of about 400.

NEW ERA IN PENITENTIARY LEGISLATION.

The legislation by the general assembly of 1884-85 marks a new era in Ohio methods of dealing with high-grade criminals, or felons as they are known to the law, and was due, largely, to the initiation of the board of State charities and corrections, and the hearty cooperation of Governor George Hoadly, and Hon. Allen O. Myers, chairman of the committee of prisons and prison reform, in the house.

As early as 1868, in its first annual report, the board of State charities had earnestly advocated the establishment of one new prison, to be known as the intermediate penitentiary, exclusively for young men, and argued that "such a system would give us the foundation of a grand system of graded prisons; with the reform farm on one side of the new prison, for juvenile offenders, and the penitentiary on the other, for all the more hardened and incorrigible class; the discipline of each to be so adjusted as best to secure the results aimed at in each, and so connected and related that transfers could be made from one to

the other, upon certain conditions, based upon the criminal's general character and conduct, to be determined by a careful system of marks, to be more fully treated of hereafter."

These recommendations with various others in regard to prison administration were fully amplified, and from year to year were repeated, and pressed upon the attention of the legislature, and the general public, until at last the seeds thus sown culminated into law in a series of legislative acts by the sixty-sixth general assembly of 1884 and 1885, in which all of the leading ideas of the Elmira reformatory system were embodied, together with some additions and improvements.

By these acts the contract system of employing convicts was abolished, the indeterminate sentence was authorized, the classification of prisoners provided for, the parole system established, and cumulative sentences for habitual criminals required. (O. L., vol. 82, pages 60 and 236.)

In addition to these requirements, which only applied to the existing Ohio State Penitentiary, an act was passed "to establish an intermediate penitentiary, and to provide for the appointment of a board of managers" to locate, construct, and to manage the same.

PRISON LABOR.

In abolishing contract labor in the penitentiary, it was evidently the intention of the general assembly to employ the prisoners upon State account (O. L., vol. 81, page 74 sec. 4), but in the absence of an appropriation for machinery and capital, it was provided in a separate act (O. L., vol. 82, page 60) that it should be competent for the managers to employ prisoners upon what is known as "the piece-price plan." By this plan, which still continues, with a majority of prisoners, employers furnish machinery and materials, and the State furnishes and supervises the men, and secures pay by the piece for the product. The advantage of this system over the contract system is that the prisoner is not the slave of a contractor, but the employee of the State, and the State can lighten his labor, change his occupation, or shorten his hours, as his capacity or improvement may seem to require.

Intelligently administered, this system is a vast improvement upon the contract system for its opportunities for education and reformation are far superior, and these ought to be the main purpose in any well-regulated prison, whatever may be the immediate returns in dollars and cents.

THE INDETERMINATE SENTENCE.

By section 5 of the act above named (O. L., pages 74 and 186) it was declared that "every sentence to the penitentiary of a person hereafter committed for felony, except for murder in the second degree, who has not previously been convicted of a felony and served a term in a penal institution, may be, if the court having said case thinks it right and

proper, a general sentence in the penitentiary. The term of such imprisonment of any person so convicted and sentenced may be terminated by the board of managers, as authorized by this act; but such imprisonment shall not exceed the maximum term provided by law for the crime of which the prisoner was convicted and sentenced; and no such prisoner shall be released until after he shall have served at least the minimum term provided by law for the crime for which he was convicted."

CLASSIFICATION AND PAROLE.

By sections 6, 7, and 8 of this act, detailed requirements were made for the commitment, classification, and parole of prisoners under the indeterminate sentence, similar to those in force, then and now, at the Elmira State Reformatory.

At the next session of the general assembly, May 4, 1885, these provisions were so amended as to apply to all prisoners, whether committed under the indeterminate sentence or otherwise, except those "sentenced to murder in the first or second degree." (O. L., vol. 82, page 236.)

So far as ascertained this was the first application of the indeterminate sentence, or parole system, in any penitentiary, or State prison in America.

Since their adoption there has been no material change in these laws. The indeterminate sentence has not been utilized by the courts as largely as it should, but under the rules of progressive classification over twelve hundred prisoners have been paroled, and less than 10 per cent have been returned, and it is known that a large majority thus paroled have been restored to honest and self-supporting citizenship.

The system has not always been administered as wisely as it should have been, but with all shortcomings it has been a vast improvement in our prison management, and has steadily gained in favor with the public.¹

CUMULATIVE SENTENCES.

Still another notable enactment of the sixty-sixth general assembly was the second section of the act passed May 4, 1885, since known as the habitual-criminal act (O. L., vol. 82, p. 237), by which it was decreed that "every person who, after having been twice convicted, sentenced, and imprisoned in some penal institution for felony, whether committed heretofore or hereafter, and whether committed in this State or elsewhere within the limits of the United States of America, shall be convicted, sentenced, and imprisoned in the Ohio Penitentiary for felony hereafter committed shall be taken to be an habitual criminal, and on expiration of the term for which he shall be sentenced he shall not be

¹ For full details of the history, administration, and results of the parole law in the Ohio Penitentiary see paper by Warden Coffin in annual report of the National Prison Association for 1897, pages 164 to 197.

discharged from imprisonment in the penitentiary, but shall be detained therein for and during his natural life, unless pardoned by the governor, and the liability to be so detained shall be and constitute a part of every sentence to imprisonment in the penitentiary; provided, however, that after the expiration of the term for which he was so sentenced he may, in the discretion of the board of managers, be allowed to go upon parole outside of the buildings and inclosures, but to be while on parole in the legal custody and under the control of said board, and subject at any time to be taken back within the inclosure of said institution."

There was some question as to the constitutionality of an enactment of this kind and therefore it was very carefully drawn by Governor Hoadly himself, than whom there was no better lawyer in the State, and it has since been passed upon and approved by the supreme court of the State, with the single requirement that the fact of a second conviction for felony should be stated in the indictment and proven upon the trial.

The wisdom of this act has been fully established, but its enforcement has not been as frequent as it should have been, on account of the failure of prosecuting attorneys to conform their indictments to the requirements of the supreme court.

However, this act still remains in force unamended, and there is a growing public sentiment in favor of its more rigid enforcement.

PRISONERS' EARNINGS.

In the series of enactments now under consideration there is still another provision worthy of consideration, viz, that contained in section 9 of the act passed March 24, 1884 (O. L., vol. 31, p. 75), as follows:

The warden is hereby authorized to have placed to the credit of each prisoner (except those serving a life sentence) such amount of their earnings as the board of managers may deem equitable and just, taking into account the character of the prisoner, the nature of the crime for which he is imprisoned, and his general deportment; provided, that such credit in no case exceeds 20 per cent of his earnings, and the funds thus accruing to the credit of any prisoner shall be paid to him or his family, at such time and in such manner as the board of managers may deem best; provided, that at least 25 per cent of such earnings shall be kept for and paid to such prisoner at the time of his restoration to citizenship.

GOOD-TIME LAW.

As a part of the legislation under consideration, another important enactment was what is known as the good-time law (vol. 81, p. 187, sec. 7), by which prisoners by good conduct could reduce their term of imprisonment for the first year five days; for the second year, seven days for each month; for the third year, nine days each month, and for succeeding years, ten days each month.

This law has since been modified (May 4, 1891) so as to allow a prisoner sentenced for one year five days each month; for two years, six

days for each month for the entire two years; for three years, eight days for each month; for four years, nine days for each month; for five years, ten days for each of the six months of his sentence; for six years or more, eleven days for each month of good conduct.

The principle of the original act, however, has not been changed, and has fully demonstrated its usefulness in maintaining better prison discipline.

INTERMEDIATE PENITENTIARY.

One of the most important of the series of acts now under consideration was that entitled "an act to establish an intermediate penitentiary," passed April 14, 1884 (O. L., vol. 81, p. 206).

Section 1 provides:

That there be established an intermediate penitentiary for the incarceration of such persons convicted and sentenced under the laws of Ohio as have not previously been sentenced to a State penitentiary in this or any other State or country.

SEC. 2. That for the purpose of carrying into effect the provisions of this act, there shall be, and is hereby, appropriated for the year 1884 and 1885 ten per centum of all the moneys received under an act passed April 17, 1883, entitled "An act further providing against the evils resulting from the traffic in intoxicating liquors."

The act of 1883, known as the Scott law, produced a large revenue, and 10 per centum of it would have been ample to complete promptly and carry on this institution, but unfortunately within a year it was declared unconstitutional by the supreme court, and the result was that the revenue of the State fell off to such an extent that the appropriations available from other sources were so limited that the completion of the institution has lingered until the present time. However, a location was secured at Mansfield, Ohio, comprising 182 acres of land, and in November, 1886, the corner stone of the new structure was laid, and the work went on from year to year until in September, 1896, it was sufficiently advanced to receive prisoners, and 150 short-term men were selected from the Ohio State Penitentiary for a beginning, and since then these have been added to by sentences from the courts, so that the institution now accommodates about 400 men.

In the meantime the name of the institution was changed to that of "The Ohio State Reformatory," and the laws governing it have been made to conform to those governing the New York State Reformatory, at Elmira, N. Y., the main features of which are the intermediate sentence, progressive classification, and parole. (O. L., vol. 88, p. 382.)

With the appropriations already made it is expected that the institution will be completed, within a year or two, with a capacity for 800 prisoners, when all modern reformatory methods can be fully inaugurated; certainly its equipment will not be inferior to any other reformatory of its kind in America.

MISDEMEANORS.

In Ohio all criminal offenses punishable by imprisonment in the Ohio State Penitentiary for less than one year, or in the Ohio State Reformatory, are known as misdemeanors, and are punishable by confinement in a county jail or city workhouse.

WORKHOUSES.

In Ohio there are now eight city workhouses, viz, at Canton, Cincinnati, Cleveland, Columbus, Dayton, Toledo, Xenia, and Zanesville. These receive prisoners, not only from their own locality, but from any other city or county with which satisfactory contracts for support have been made. The average term of sentence to these workhouses is about thirty days.

These workhouses in their character and conduct are similar to those in other States, and are as equally well administered, but in reformatory results they have never been satisfactory. A large majority of workhouse prisoners are chronic drunkards, for whom a commitment of ten, twenty, or thirty days has no terrors, but rather the reverse; for every commitment for another debauch is an opportunity for restoration to natural conditions, by medical care and hygienic treatment at public expense, and this accomplished he goes out to repeat his previous offense.

To reform prisoners of this kind time is an essential element, and hence in Ohio, by recent legislation, a new feature in workhouse sentences has been authorized, which is unknown elsewhere, and which promises to be of special value. This act, passed April 27, 1896 (O. L., Vol. 92, page 359), provides:

That every person who, after having been convicted, sentenced, and imprisoned in any workhouse for an offense committed heretofore or hereafter in this State in violation of an ordinance of a municipality or a law of this State, shall be convicted of a second misdemeanor, whether committed in violation of an ordinance of a municipality or a law of this State, punishable by imprisonment in any workhouse within this State, shall for such second offense be punished by imprisonment for not less than double the penalty imposed upon the first offense; and in case of two previous convictions for such misdemeanors, the penalty for a third misdemeanor shall not be less than double the penalty imposed for the last of such previous misdemeanors. But no greater punishment shall be inflicted for the second or third misdemeanor than the maximum penalty provided for by law or ordinance for the particular offense committed. Every person who, after having been three times convicted, sentenced, and imprisoned in any workhouse or workhouses for offenses committed heretofore or hereafter in this State, whether in violation of law or ordinance, shall be convicted of a fourth misdemeanor, whether committed in violation of an ordinance of a municipality or law of this State, punishable by imprisonment in any workhouse within this State, shall upon conviction for such offense be held and deemed an habitual offender, and shall be imprisoned in a workhouse for a period of not less than one year nor more than three years.

This law has not been in force long enough to furnish statistical results, but so far as tested it has fulfilled expectations, and is certainly a vast improvement on previous conditions.

COUNTY JAILS.

In each of the eighty-eight counties of Ohio there is a county jail, which is near to or adjoining the county court-house, in which prisoners awaiting trial are confined. After sentence, prisoners committed for felony are transferred to the penitentiary or to the State reformatory, and misdemeanants to a workhouse, although to a limited extent in counties where there are no workhouses misdemeanants for less than thirty days' sentences are detained.

Ohio jails, like all other American jails, are a survival of the English jail system of a century ago, but unfortunately they have not kept pace with the improvements in English jails, and the old vicious system which allows the promiscuous association of prisoners still remains in many counties, and contamination, rather than reformation, is the result.

This evil was early recognized, and the board of State charities in 1867, in its first report to the general assembly, presented it very fully and recommended radical changes based upon the separation and classification of prisoners.

In its next report (1868) the board presented a carefully prepared plan of jail construction by which classification could be secured, and also cellular separation in each floor could be maintained.

This plan has since been known as the "Ohio plan" or "central corridor" jail, and has been adopted to some extent in other states.

In Ohio nearly all new jails have been constructed upon this plan, and fully one-third of our counties now have it; and wherever its requirements have been carried out it has been found very beneficial, not only in reformatory results, but also in its efficiency in preventing escapes.

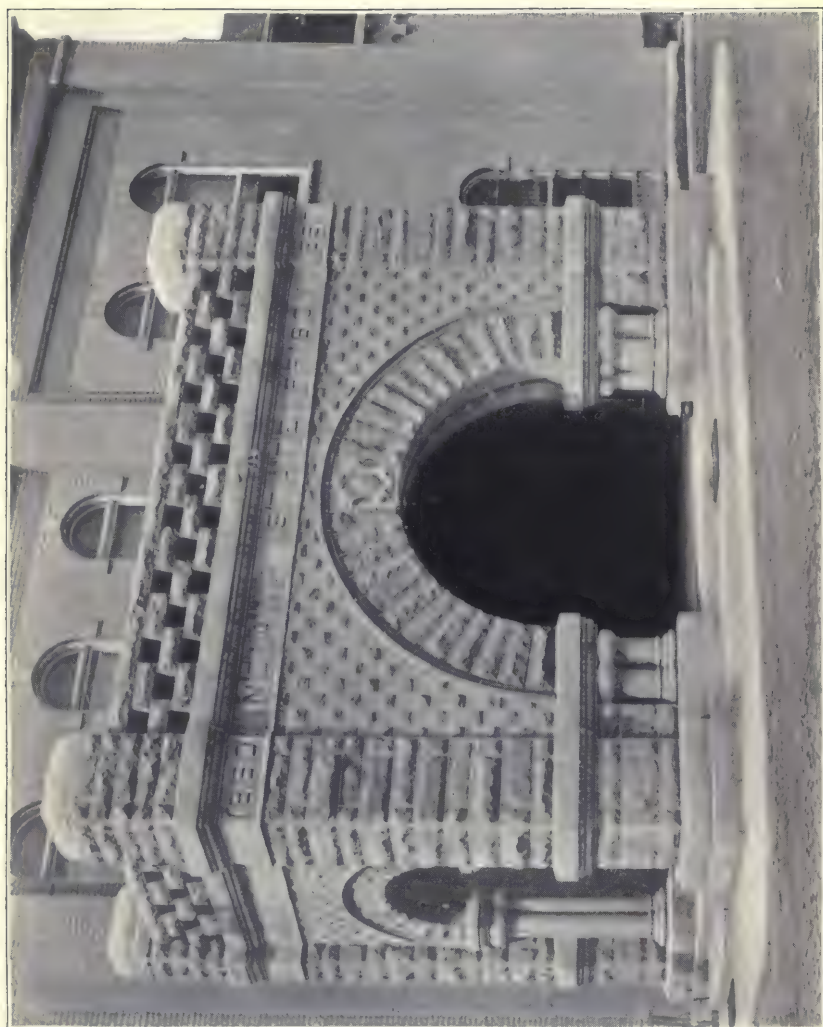
A law has been passed (vol. 88, page 150) declaring that wherever the construction of a county jail will admit of the separation of prisoners, that such separation shall be maintained; but for one reason or another the local authorities, to a considerable extent, evade the requirements of the law, and the old evil goes on. However, there is a growing public sentiment in favor of the enforcement of the law, and it is likely that in the near future the administration of county jails will be taken away from the local authorities and centralized in the State, as they were in Great Britain in 1877.

Aside from the evils of associating prisoners together in common halls, Ohio jails, as a rule, are humanely administered, and their sanitary condition is good.

CONCLUSION.

In conclusion, it can be justly claimed that reformatory legislation in Ohio has kept abreast and possibly in advance of any other American State, and in the main is in accord with the best in other civilized countries. Our shortcomings are largely due to a faulty administration, to which any system, however perfect, is liable; but this can be, and we have the faith to believe will be, corrected by an advancing public sentiment.¹

¹ The Hon. F. B. Sanborn of Massachusetts, than whom there is no higher authority, in a paper read before the National Conference of Charities and Correction, held in Omaha, in 1887, stated: "In Ohio, the board (of State charities) has succeeded in establishing the most complete prison system, in theory, which exists in the United States. And this system is advancing toward practical development."



INDIANA STATE PRISON.

THE INDIANA PRISON SYSTEM.

By Hon. T. E. ELLISON.

It was suggested to those who were selected to write the various reports that are being made to this congress to prepare them along such lines that when combined they would give a "general picture of the present conditions of the penal institutions of the world," and also to include a review of the changes that have taken place within the twenty years since this congress met at London, England.

The writer of this monograph is of the opinion that, preliminary to throwing "the picture" of Indiana's penal institutions upon the pages of his report, he should call attention to the side lights that not only affect but go far to make the bright places and shadows of the picture, coming as they do from the situation and surroundings of the State as a society, as well as from the characteristics of her people.

Indiana is one of the small States that constitute the Republic of the United States of America, being the thirty-fifth in size, although containing some 36,000 square miles of territory. Yet, because of her location she has exerted, and must hereafter exert, a greater influence over the nation of which she forms a part than her size would indicate.

At the beginning of this century there were 5,641 people within the borders of Indiana; at its close there will be, quite evenly distributed over the entire State, almost, if not fully, 2,400,000.

At the beginning of the century the State (which in the main is a level table-land) was to a great extent covered with a dense forest of hard-wood timber. At its close the greater part of the forest, too much in fact, has disappeared and excellent farms now occupy its place. The fertility can be easily imagined when you think of the gigantic oaks, elms, walnuts, maples, and like hard-wood timber which were removed to give place for farms.

In the beginning there were very few highways, and these, from the very nature of things, were extremely poor. There were no navigable streams or waterways, except the Ohio River, and the Wabash River for about 100 miles above its junction with the Ohio River at the southern end of the State, and Lake Michigan, which touches the northwest corner, making communication among the people themselves very difficult and with the outside world almost impossible. Then it was that larcenies such as horse and cattle stealing were the most common crimes. Such property could be secreted in the forests and each stolen article could transport itself.

A change of conditions began to take place between 1840 and 1850, when canals were built in various directions across the State, but nothing has done so much to bring about the present conditions, so far as they relate to our subject, as the building of railroads, of which there are now over 6,500 miles, reaching every locality in the State.

Indiana occupies an anomalous position in another way. It has contained for many years more native Americans than its neighbors, 93.33 per cent being natives, while 6.67 per cent are foreign. Ohio, on the east, has 87.49 per cent of native and 12.51 per cent foreign, while Illinois, on the west, has 77.99 per cent of native and 22.01 per cent of foreign population. Indiana has a percentage of prison population almost exactly like Ohio and a little less than Illinois. This is probably because Indiana is more largely an agricultural State than either. It is said that more crimes are committed in the West than in the East. Such is not the fact. There is no part of the country so law abiding as the great central northern portion of the United States.

Massachusetts had in 1890 a population of 2,238,943; Indiana, 2,192,404. By the same census Massachusetts was shown to have 511,991 children from 5 to 17 years of age, with 698 in its juvenile reformatories; of Indiana's population, 647,606 were between these same ages, with only 636 in its juvenile reformatories.

Again, in 1890 Massachusetts had 499,312 residents who were from 18 to 44 years of age; Indiana, 454,823. As this is the class, when the age of criminals is considered, from which our prisons draw the most of their recruits, it is worthy of notice that Massachusetts had then a prison population of 5,227 and Indiana 1,988.

There is a fact which makes this great difference even more pronounced. It is well known that a very large portion of our prison population has been recruited during these last few years from the great army of tramps that have marched to and fro across our country, and it may be worth our while to know where this army most generally maneuvers. It is our belief that Indiana is a favorite resort for them, especially when on the move.

The center of population of this Republic is now, and has for a number of years been, within the boundaries of Indiana. The railroad tracks are the favorite pathways of this class of people, and while there are many north and south railroads for them to travel back and forth on, it is the east and west roads upon which they rely. Twenty-two of the most important railroads of the United States cross this State, connecting the great cities of the East with those of the West, affording a most attractive route for these birds of passage. If Indiana could be relieved of the tramp, its prison population would be much less than it is.

The building of Indiana's prisons shows its progress, so far as material prosperity is concerned, as truly as any other criterion that can be selected.

With a people situated as I have indicated, it must be apparent that the State was not wealthy, and hence the building of prisons progressed very slowly. The first prison built was located near Jeffersonville, on the Ohio River, at the extreme south end of the State. It was opened for its first inmate in 1822; it was a very crude affair, having, as we now would think, very little restraining influence. The daily average number confined did not exceed one hundred during any year for the first forty years of the State's existence.

This number rapidly increased until 1860, having then reached 556. The State then built a second prison, near Michigan City, on the shore of Lake Michigan, at the extreme northern end of the State.

In 1868 the construction of a juvenile reformatory for boys was authorized, and built at Plainfield, 18 miles west of Indianapolis, the capital of the State.

In 1869 the juvenile reformatory for girls and women's prison was organized by the legislature. The buildings were ready for occupancy in 1873, and from then until now all female criminals and female delinquents have been confined there. It is located near the center of the State, at Indianapolis. Since 1877 all the officers of this dual institution have been women, and no institution of this class, no matter where you go, can be found that is better administered or can show more reformatations than this.

It is one of Indiana's boasts that she was one of the very first States to build a prison exclusively for women criminals, and that she was the first to put the entire management and control of a prison into the hands of women.

These institutions have been enlarged from time to time as the number of convicts increased. The number of persons confined in these various institutions in 1880 was as follows:

Prison South, Jeffersonville	593
Prison North, Michigan City	542
Woman's Prison, Indianapolis	41
Girls' Reform School, Indianapolis	147
Boys' Reform School, Plainfield	330
Total	1,653

On January 1, 1900, there were in—

The Indiana Reformatory, formerly Prison South	918
The Indiana State Prison (Prison North)	768
Woman's Prison, Indianapolis	53
Girls' Reform School, Indianapolis	181
Boys' Reform School	503
Total in State institutions	2,423

It is best to note that there has been a decrease in the number of those confined in the penal institutions of the State during the past two years below the general average of a period of five years just before that time.

THE INSTITUTIONS.

I wish to call attention to the various State institutions, giving a short description of each as they now are, as well as noting the changes they have undergone in the last twenty years.

REFORM SCHOOL FOR BOYS.

This institution is beautifully situated upon a large farm, the building being erected on a bluff overlooking the valley of Sugar Creek, about a mile west of Plainfield, with nothing to keep one in or another out, or anything that has the slightest resemblance to a wall.

Probably no institution of its size and character has ever been constructed at so low a cost in Indiana or any other State. The plan has been to use the labor of the inmates, teaching them good trades, and letting the work done while learning become a valuable addition to the institution.

The institution contains about 32 separate brick buildings. It is managed on the family plan, the cottages being grouped around a pretty park, nicely shaded with maple trees, having the administration building at one end and the chapel at the other. The various domestic and industrial buildings are at different points on an outer circle. The number of buildings has about trebled and the capacity of the institution has nearly doubled in the past twenty years. All new buildings, from a beautiful, graded school house, with room for 300 pupils at a time, to a piggery or buggy house, are built of brick made on the premises. Making bricks for the additions to the institution has been one of the valuable industries, the number made in a season having ranged as high as 2,000,000.

The buildings, especially those erected within the past ten years, are simple, substantial, and well adapted to their use. Every family has its own playground, and the Saturday afternoon half holiday, with three or four baseball matches between teams from different families on different grounds, is a sight which once seen will never be forgotten.

THE REFORMATORY FOR GIRLS AND WOMAN'S PRISON.

This double institution consists of a three-story central building and two wings, the reform school occupying the west wing and the rear center, the woman's prison the east wing, and the administration the front center, so constructed that the prisoners can be kept strictly apart from the reformatory inmates, and yet so that they may attend the same chapel exercises.

The buildings are fairly well equipped with such necessities as school and work rooms, hospitals, etc. In the reformatory part the inmates sleep in dormitories. The prisoners have very pleasant and homelike single apartments, with flowers in the windows, and white curtains and coverlets, giving their rooms anything but an appearance of prison cells.



HOSPITAL, INDIANA STATE PRISON.

The main buildings are practically as they were twenty years ago, the improvements having been in the shape of better heating apparatus and minor accessories, such as hospitals, surgeries, bathrooms, etc., of which there is now a sufficient and convenient supply.

THE INDIANA STATE PRISON.

The State prison is about 100 feet above Lake Michigan, within a square inclosure that contains 8 acres. The wall surrounding the yard is 26 feet high, so that wall escapes are almost an impossibility if a reasonable number of guards are employed. A street 40 feet wide runs entirely around all the buildings, just inside the wall, except where the two cell houses are united to the administration building. There have been no changes in this prison since 1880 that could be said to enlarge its capacity as a prison. The cell houses are the same and contain the same number of cells now that they did then, viz, 360 in each wing, 720 in all. The prison has, however, been repaired, enlarged, and improved till at the present time it is a very creditable institution.

The building you first see on approaching is the administration building, which presents, in its new and enlarged construction, a dignified front to the institution, and forms a most convenient and logical connection between the outside world and the prison yard within the inclosing wall. The entrance-way is emphasized by a stone porch, proportioned to the enlarged building and the flanking prison walls, which extend 300 feet each way from the central axis of the structure. This porch is built of Indiana oolitic limestone, in the Romanesque style of architecture. The porch entrance opens directly into a spacious sky-lighted public hallway, which in turn forms the vestibule to the several offices and departments of the institution. The clerk's office is on the right, and indicates at a glance that it is the place to first come in touch with the institution. To the left of the hallway is the ladies' parlor and toilets. From the rear of the hallway, provided with easy risers and intermediate landings, a broad oak stairway rises to the second-floor hall, which opens directly into the warden's offices, the director's temporary lodgings, the State's dining room, and the room for the board of control. The interior of that portion of the administration building exterior to the prison wall is finished in Indiana quartered white oak, and the floors of the porch, hall, and ladies' rooms are tiled. In the rear of the main hallway, on the first floor, is the steel gateway with its double gates separated by a steel-barred vestibule, with the clerk's rear office on the north side, and the guards' reading room as well as the prisoners' library on the south side.

The entire second story of the rear portion of the administration building forms the new schoolroom for prisoners, with an entrance directly from each of the cell houses. This large and comfortable schoolroom is fitted up with electric lights, 124 new school desks, and all the paraphernalia necessary for its purposes.

The two cell houses, connected by a central pavilion or guardhouse, form one large building 500 feet long, 50 feet wide, and 41 feet high to the eaves. The cells are placed in two rows, back to back in the center of these rooms, and rise one above the other in five tiers, leaving an open corridor all around the stack of cells and an open space at the top. It is heated and ventilated by the new Sturtevant blower system; the difference in temperature between the upper and lower cells last winter did not exceed 5 degrees Fahrenheit. The foul air is drawn from the rear of the cells through ducts passing through the exhaust fan and thence outward and upward through the roof, where the foul air is discharged into the open air. The fresh air is admitted through a separate opening, passed over steam coils in cold weather, thence through a special fan, forced first through a long galvanized-iron funnel, then downward through smaller pipes and discharged into the air at the lower part of the room toward the cell doors. Each of these outlets is controlled by a damper or valve so that the distribution of heat may be properly controlled. This newly installed system has a capacity of changing the air in the cells every seven minutes.

The pumping station is located 1 mile north of the prison grounds, a few feet from the shore of Lake Michigan. A 10-inch main extends several feet below the surface of the sand, out into the lake 2,800 feet, reaching a depth of 30 feet where the intake is anchored, thus securing to this institution an inexhaustible supply of water.

The hospital is new, in the form of a Latin cross, with all modern conveniences, with ample capacity for fifty beds.

Immediately in the rear of the cell houses, and very convenient of access, is a large and convenient dining room and kitchen, storerooms, etc. On the second floor is a chapel of sufficient size to accommodate all the inmates of the prison.

In addition to these buildings are the bath houses, laundries, factories, and machine shops where the convicts are employed in a number of different industries, such as making barrels and casks, furniture, various kinds of woolen goods, knitting of hosiery, making of bicycles, shoes, etc.

A system of sewers drain the grounds and carry off the sewage in a very sanitary manner.

The entire institution is well heated by steam and lighted by electricity. There is now being completed, at a cost of \$22,800, a most complete power house, 84 by 123 feet, with a full complement of engines, boilers, tool room, and other adjuncts that will, in the most economical and scientific manner, heat and light the institution, as well as keep it in repair, in addition to forming the nucleus of the industrial schools that are to be soon put in practical operation.

Near to the prison the State owns about 100 acres of land, which is farmed by the convicts, furnishing many vegetables that give a greater variety to their food, and making their diet much more healthful than



HEATING PIPES IN CELL-HOUSE CORRIDOR, INDIANA STATE PRISON.

it otherwise would be. It also rents a large tract of land near the prison and utilizes the labor of about one hundred convicts in raising of supplies for the prison and other State institutions not having such an abundance of labor.

THE REFORMATORY.

The reformatory is located on a level plateau some 75 feet above, and with a good drainage into, the Ohio River. The wall, which incloses some 11 acres, and within which the institution is built, is 33 feet high, and is of unusual solidity, and the inmate of the institution must look upon the task of scaling it as a very difficult one.

The first cell house, which has until lately been known as C, contained about 130 cells, which were small, illy ventilated, and very unsanitary; in fact, it was a reminder of former prison construction and management, and has for many years been a disgrace to our State as people now look at penitentiaries.

In 1880 the number of cells was increased to 536, each new cell house being better than its predecessor, but the construction of cell house C and the inadequacy of the others to properly care for the inmates became so apparent to the legislature of 1899 that it authorized the tearing down of cell house C and the erection of a new cell house with 600 cells, and a bath house in connection therewith.

A description of this cell house, and a comparison of the manner in which it is built with the way that former cell houses were built, is about as good an illustration of the advance that has been made in penal matters in Indiana as anything I could say on the subject, and I will give a description of the same such as has been furnished by the architect.

The new cell house contains 600 cells, 5 feet 9 inches by 8 feet, and 8 feet high inside, double row in width, 60 cells in length, and 5 tiers high, having a utility corridor or passageway 4 feet wide between the back of cells the full length and height of range, in which is run the various water, waste, and ventilating pipes from cell fixtures. Cell walls of vitrified brick. Floor of granitoid, having steel bars run through same. Angles at floor, corners and ceiling made with 3-inch cove. The walls and ceilings finished smooth with Portland cement. Open grating two-thirds the width of front of cell, one-half being the door, the other half stationary. Each cell has an earthenware flushing closet with trap, enameled-iron wash basin, and an enameled-iron ventilating flume directly over the water-closet, connected with the vent flue in utility corridor, thence to main foul-air duct. Gallery at each tier $3\frac{1}{2}$ feet wide with iron railing. Iron frame steps both end of cell block.

Cell house inclosing cell block 62 feet wide, 436 feet long; corridor $15\frac{1}{2}$ feet wide both sides, and 20 feet wide at ends. Ceiling 8 feet above top of cell block. Iron trussed roof. Grated windows 6 feet wide, 30 feet

high, 8 feet from floor, and placed about 16 feet on centers along sides and end of cell house. Exterior with stone foundation, pressed brick walls with stone trimmings and slate roof.

Bath house, with 50 inclosed shower-bath stalls with dressing booth to each, connected with cell house.

Heating and ventilation by the steam fan system, with thermostatic temperature regulation. The air for same supplied from tower 20 feet above main building at one end of cell house, and the foul air from each cell drawn out through the cell flumes into the tunnel, thence out of a high tower at other end of cell house.

What are now the new cell houses A and B, will, when this is built, become the old cell houses. They are to be sufficiently repaired and remodeled so as to include the most modern systems of heating, ventilating, and lighting, and it is believed by those of us who have examined the plans that the Indiana Reformatory will be a model institution so far as construction is concerned.

Adjoining the cell houses are the chapel and schoolhouse. The first is of much more than ordinary beauty; the seats are arranged in an elliptical shape with a capacity of 1,032, all in full view of and near the stage.

With the fine acoustic properties of this room and this arrangement of seats it must be said that those who go there to hear have a beautiful and comfortable place for listening.

Six large schoolrooms on the first floor give ample and pleasant accommodations for the classes in general education.

New and commodious shower-bath rooms (between 40 and 50) are but a few feet away from these buildings, fitted with hot and cold water and all other conveniences. A few feet farther are the officers' quarters, storerooms, printing offices, boiler house, and electric plant. While they are plain and inexpensive, like the chapel and hospital, they have been designed and built by an architect who knew how to get elegance as well as convenience and value from the dollars that were spent in remodeling and rebuilding this institution, so far as it has been done.

The reformatory has the finest and largest factory building of any that I have seen at the prisons I have visited. It is 360 feet long by 65 feet wide, and is three stories high, made of pressed brick. In the north end of this building on the first floor is a model kitchen for a prison, 50 by 65 feet, and a dining room 150 by 65 feet, with a comfortable seating capacity of over 1,000. As a congregate dining room it is exceedingly well adapted to the purpose it was built for. This building, with a large foundry, brush shop, and a few small structures (all of brick) contain the shops wherein the inmates are employed in making hollow ware, brush, and wire goods, saddletrees, pants, and shoes when not engaged in their studies or other duties.

In describing the buildings of this reformatory, I should have left out the most important if I had left out the new hospital, which,

although it is within the walls, is situated some distance from the other structures that compose this plant.

It is 91 by 45 feet and 3 stories high. The first floor has several rooms which are occupied by the general inside offices where the conduct records are all kept, where all those charged with misconduct are tried, the solitary cells, insane cells, sick-call room, and a drug room. The other two floors are set apart for hospital purposes proper. High in air, scrupulously clean, well heated, ventilated, and lighted. A splendid operating room, that is both light and antiseptic, is on the second floor, the remainder of these floors being divided into dining room, kitchen, as well as medical, surgical, and tubercular wards. It is made clear after seeing this hospital that the State has finally been aroused to its full duty in this matter at least.

Besides this central plant, this institution now rents (holding an option to buy) a large farm of 230 acres, on which the inmates raise a large portion of the food they eat. While giving healthful employment to certain of its inmates, by so doing an economical and healthful administration of the reformatory is likewise assured.

PENAL LEGISLATION.

Before entering upon that part of my report which shows the manner of administering the various penal institutions of the State, it will be best to hurriedly trace the various changes that have taken place since the Territory of Indiana was admitted into the Union as a State in 1816. It is a principle of law common to this country that the common law of England is in force, except where modified by legislation. While Indiana was a Territory the laws governing it were enacted by Congress. After the admission they were enacted by the local legislature in conformity with the constitution of the State.

The first constitution of Indiana contains a provision that is not usual in the constitution of the various States, especially in the precise form and terms therein stated. The provision is that—

The penal code shall be founded on the principles of reformation, and not of vindictive justice.

This particular statement as to the character of the penal laws was incorporated in the second and last constitution of the State, adopted in 1852.

By another provision of our statute all common-law crime and offenses were abolished, and nothing is now a crime in Indiana that is not defined and named as such by the legislature, and there is no penalty for the violation thereof except such as is stated by the legislature.

The acts that constitute crimes in this State are about the same as among our neighbors. A number of acts that are supposed to be in violation of public policy, public health, convenience, and welfare in some of the other States, because of their more complex business and social interests or local conditions, are not defined as crimes in Indiana.

The severity of sentences before 1897 was not as great in some instances as our Eastern and, especially, Southern States see fit to authorize. The so-called indeterminate-sentence act, passed in 1897, makes comparison impossible till time shall show how long the boards which grant paroles will think it necessary for those convicted to remain in prison before becoming entitled to go at large. The division of crimes into felonies and misdemeanors is arbitrary, but is not unlike that in other States.

The various legislatures which convened before that of 1897 failed to heed or comprehend the great desirability of prison reform or do anything to ameliorate the condition of the convicts other than to pass a very lenient good-time law a few years ago.

For many years Indiana has been debatable ground in politics. The spoils system ran rampant. The penal and benevolent institutions were considered as rightful spoils for the victors. The manner in which they were conducted, in many instances, convinced everybody that the spoils system was too literally a despoiling of the State and the inmates for the enrichment and betterment of those who held these most sacred trusts. The people became aroused, the result of which has been the taking of all our State institutions, except the State prison, out of political or partisan control. It is now incomprehensible how it was possible for this condition to continue as long as it did.

The cry of the insane, the pleading of the orphan, the appeal of the criminal and his friends were finally heard, and we now have a public sentiment that is very keenly alive to any wrongdoing in any of our institutions. It will not be long till the last of these administrations has been taken out of politics, and woe betide the man or party that seeks to put them back.

The former laws of this State as to the punishment of all felonies were purely punitive and vindictive. It was so much imprisonment or fine for the doing of a criminal act. The legislature gave the courts the right to inflict a definite sentence within certain limits upon the person found guilty of crime.

Before 1897 there prevailed a feature of criminal procedure that is not usual, viz: The jury which tried the accused not only passed upon his guilt, but, in addition, definitely fixed the punishment he was to suffer. The divergent views and ideas of the different jurors, as well as their idiosyncrasies, if not whims, made the punishments suffered by different convicts for a like offense in the same prison very unlike if not ridiculous. This fact was almost sufficient to bring discredit upon the system and render prison discipline an impossibility. These observations apply more particularly to the prison for men, and not the reform school for boys and girls, and the womens' prison. They were too small or concerned too delicate subjects for the political jobber to covet, and the work they were doing was not sufficient in and of itself to arouse the public to action, although it undoubtedly helped to do so.

The legislature of 1897 passed two laws that changed the entire system of administering the prisons of the State. It took away from the jury the power to fix the amount of punishment. They now merely pass upon the guilt of the accused. If guilty of a felony other than murder or treason the prisoner is given a so-called indeterminate sentence, being not less than the minimum punishment nor more than the maximum that could be inflicted under the laws that then were in force. If between 16 and 30 years of age, the commitment is to the custody of the board of managers of the Indiana Reformatory, to be by them confined wherever they think the best interest of the prisoner demands. Those found guilty of murder or treason, and those 30 years old and over, are sentenced to the Indiana State Prison. The prison south was designated as the reformatory and the prison north as the State prison. Under these laws the management has the power to parole all felons other than murderers.

The result of these laws, so far as they relate to the procedure in criminal cases, is most salutary. I speak of the other effects in a more appropriate place. The greatest desideratum in penal laws, i. e., certainty of conviction of the guilty, is much more surely attained. Especially is this so when the accused has a friend on the jury, for the reason that a contentious jurymen can not find as many points on which to hang an argument or create a division among the panel. Then, too, criminal trials are shorter, hence less expensive, and a miscarriage of justice and new trials are more infrequent because of a too lenient or severe sentence.

In addition to the State prison and reformatory, we have the Girls' Reform School and Women's Prison, the Boys' Reform School, a jail in each of the ninety-two counties, and workhouses. The class of inmates of each, as defined by legislation, is as follows:

(1) *The jails.*—All persons accused of crime are committed to a jail, where they remain until trial, unless out upon bail. When misdemeanants are found guilty of such offenses as require the sentence to be by confinement it is always in a jail. The law requires that jails shall be constructed according to plans approved by the Board of State Charities, and that board requires that the construction shall be such that the sexes are separated, as well as the young from the old and the accused from the convicted. In a word, the new jails are reasonably well built; the old ones are of all classes, from fair to those which are a disgrace to any community. While the law requires a proper administration of jails, other than that work is not provided for those found guilty, actual practice does not fill all of the law's requirements. Being under the supervision of the sheriffs of the various counties, too many new men have charge of them to realize the importance of following the law, to avoid the evils that come from improper administration of these places which are near the fountains of criminality, and which too often augment the streams that flow therefrom.

(2) *Workhouses*.—It is provided by law that each county may build a workhouse, where those found guilty of misdemeanors and liable to a jail sentence may be confined and given work to do. We have only one, which is at the city of Indianapolis, and has the reputation of being above the average of the workhouses of the cities of this country.

(3) *The Reform School for Boys*.—This institution, when established in 1868, sought to remove from society a class of boys whose presence seemed to be contagious for wrongdoing rather than to cure the boys of their contagious influences. In 1883 a change of policy was adopted, and the law then passed provided for the care and rehabilitating of three classes of boys:

A. Those boys over 8 and under 16 who, being found guilty of crime, would otherwise be sent to prison were to be committed to this school instead; or when, being on trial, the court might, with the consent of the accused, commit him to the guardianship of the school.

B. Boys over 10 and under 17 who being found, by a hearing in the court, proper subjects for its control, because of incorrigibility or vicious conduct.

C. Boys under 21 years confined in the penitentiary might have their sentences commuted by the governor to confinement at this school. This commutation is subject to good conduct, for a failure in which the boy can be returned to serve out his original sentence.

The control of this institution over a boy ceases on his arriving at the age of 21 years.

THE GIRLS' REFORM SCHOOL AND WOMEN'S PRISON.

This institution was established for the purpose of furnishing a place to restrain females of all ages guilty of crime, and girls from 8 to 21 years who were found to be incorrigible.

ADMINISTRATIONS AND SYSTEMS.

In general, each institution is managed by a board which looks after its peculiar interests. The same grading system prevails in all, viz, that of progressive classification.

BOYS' REFORM SCHOOL.

The board of the Boys' Reform School is composed of three persons, with a general superintendent who supervises the various families into which the boys are divided. The school is located on a large farm, with a cluster of houses and buildings that make it a little village of its own. No walls surround it, but an intense life prevails within its boundaries. When a boy enters he is given a "badge" on which is marked a certain demerit, according to the offense for which he is committed; as, for example, 50 for obstructing railway, 40 for murder, 30 for perjury, 24 for grand larceny, 18 for embezzlement, and 12 for incorrigibility, etc. Each month these demerits are decreased by good

or increased by bad conduct. When all are removed the boy has his "honor," after which he can go out on a ticket of leave. About 1 in 30 win their ticket of leave in one year and about the same per cent remain till 21.

Hope for better things is held up before the boy constantly. Demerit marks are most dreaded, and an addition to those already standing against a boy is the most severe punishment inflicted. Corporal punishment is occasionally imposed, but never the same day the offense is committed, and is always inflicted in the cottage where the boy lives.

The purpose of this school is to be instructive rather than productive, although the moral effect of being productive is not lost sight of. The youngest boys go to school all day; after a short time one-half attend school half a day and work the other half. It is the aim of the school to give every boy a good common-school education before he is discharged, and nothing but arriving at the releasing age or some mental defect will prevent. Seventeen trades are taught: Farming, laundry work, carpentering, floriculture, caring for stock, gardening, shoemaking, tailoring, cooking, baking, gas and steam fitting, gas making, painting, plastering, bricklaying, brickmaking, blacksmithing, etc., all of which, when required, are taught in well-equipped shops under competent instructors, and these, with the assistance of sloyd work, tend to make boys who will be men.

Kindness, individual care, with a proper amount of moral and religious (not sectarian) training, has enabled this institution, under the superintendency of Mr. T. J. Charlton, in his twenty years of service, to make a record that will increase for good as time rolls on. It is a rule that the superintendent will gladly hear every boy's troubles, and as a result thereof they go to him frequently and are always given a patient hearing and such suggestive advice as the matter seems to warrant, never being turned away by ridicule or sneer.

When the boys go out on ticket of leave, they are closely watched, guarded, and guided, some for many years. From the best evidences attainable, about 85 per cent of the boys who go out on their "honors" "do well during life." When it is remembered that about 4,750 have had this care during the past twenty years, and that the number is annually increasing, it seems to me that we are solving the prison question. If the boys are made good, the men will never be bad.

THE REFORM SCHOOL FOR GIRLS AND WOMEN'S PRISONS.

This institution is under the control of women alone, both general and subordinate officers. It is a reformatory with more of individual care and personal fellow-feeling than has so far seemed possible in the institutions for males. When this institution was established, there were only seventeen women criminals in the State, for which reason the legislature made two departments, one the prison proper and one the reformatory for girls. This was a mistake, for it is an injustice to

the girls on account of the prejudice created against them because of having been in a prison, as it is in name if not in fact. In order to separate these two institutions more completely in the minds of the people, the name was changed by an act of the legislature in 1889 to The Indiana Reform School for Girls and Women's Prison. It receives women for the same crime that men are sent to prison, and they are governed in some respects by the same rules and discipline. All the work of these two institutions is done as it would be in a private family, thus fitting the women for work as they will find it in the outside world.

The largest part of the institution is the Reform School for Girls. It is an entirely separate and distinct feature of the work. The girls are not criminals but incorrigible girls, homeless girls, girls with bad parents and surroundings, girls mistreated by parents and relatives, girls from the street, the wine room, and the brothel, and yet none of them so old or so far gone in iniquity that reclamation is impossible.

The educational and industrial departments stand side by side, one teaching the mind and the other the heart and hand. Every kind of work that comes under the domain of women, such as laundry work, cooking and kitchen work, dining-room and chamber work, kitchen gardening, canning of fruit, caring for poultry, sewing and dressmaking, nursing, hospital work, etc., is taught. It is the aim of the institution to send these girls out prepared to earn their own living.

We copy from a recent report as follows:

Besides appealing to the better natures of our women prisoners, we find they have other qualities, supposed to be peculiar to women, which can be utilized in their management. The traditional vanity and love of dress, universally attributed to the sex, can be made to play a part in shaping their daily conduct. The maternal instinct and the idea of housekeeping and homemaking survive almost everything else in woman's nature. Every woman prisoner loves to beautify her room a little and loves a bit of space that she can call her own and give a home-like look. In our own women's prison every prisoner has her own room, not at all resembling the traditional prisoner's cell. Each one is decorated and beautified according to the fancy of the inmate. Each prisoner has a good spring bed with cotton mattress and feather pillows, and we think these comforts have a reforming influence. A great number of them cultivate flowers and vines in their rooms, training them to cover the inner bars of their windows, and giving their rooms an appearance of cheer and comfort. There can be no doubt that such things, in connection with kind treatment, have a softening and improving effect on the prisoner. The same may be said of the food, which can scarcely be called prison fare. It is good and varied, better probably than most of them ever had before. We do not think there is any reformatory influence in starvation, or that the State desires its prisoners to be abused in this regard more than in any other. Not unfrequently the same food which is prepared for their table is served to the board of managers and superintendent.

It should be remembered that if we can not see improvement from day to day, the slow work of character building or character changing is silently going on, and the results must and do appear in time.

We find that useful employment is an indispensable feature in the reformation of our women prisoners. This is not mentioned as a new idea or discovery, but the fact deserves emphasis.

Work is beneficial. It has a disciplinary effect. It makes prisoners feel that they are doing something useful. By giving occupation to their hands and minds, it

keeps them at least measurably free from evil thoughts and practices. It has always been the aim of the managers and superintendent of the Indiana Prison for Women to keep the prisoners constantly, pleasantly, and usefully employed. There is not an idler or drone in the institution. They do a great amount of laundry work and sewing. They make a great many quilts for patrons, also overalls, jumpers, and shirts for firms in the city. Dressmaking is a special branch of work, and the gowns which are turned out would be a credit to many a dressmaking establishment in the city. The gardening is all done by the women, and a great variety of vegetables and flowers are raised. Only some necessary plowing is done by men; all the rest is done by women, who find it healthful and agreeable work. They also raise a great deal of poultry. When not engaged in these and kindred occupations, the women are employed in various household duties, such as cooking, washing, scrubbing, cleaning, etc. Thus in one way or another they are kept constantly busy, which we think a very important feature of prison treatment and reform.

In the matter of punishments we have made a distinct change in recent years toward milder methods. Formerly it was the practice to handcuff refractory prisoners to the iron bars of the punishment-cell doors and leave them standing in that position until they yielded. We do not use that form of punishment now and have not for several years past. The constitution of the State says, "Cruel and unusual punishment shall not be inflicted." The constitution is for prisoners as well as for persons not in prison. As the punishment referred to was both cruel and unusual, we abolished it. We have almost ceased to put prisoners in the punishment cells for solitary confinement. Instead of that, we confine them in their pleasant rooms with a sewing machine and a given task to accomplish. We find this the least cruel and most effectual mode of solitary confinement. We depend more and more on moral influences, and less and less on severe methods.

Very recently we have introduced a change from which we expect good results. We have established in the prison department the so-called grading system, with progressive promotion. There are three grades. The prisoners in the third grade wear a plain dress and have few privileges. Those who by good conduct obtain admission to the second grade have a different dress and a few more privileges, and those who reach the first grade still another change of dress and some valued privileges, such as seeing their friends oftener, receiving home papers, etc. It gives the prisoners an incentive for good conduct and something to look forward to. Eventually it will probably be extended so as to include in the different grades some additional privileges or little comforts, such as rocking chairs, etc.

Tickets of leave are granted to the girls when earned and proper homes and employment can be found. But there is no person or officer whose duty it is to visit and look after them. All that is done is by correspondence and an occasional visit, more often after some wrong has been done rather than at the right time to prevent its happening.

THE INDIANA REFORMATORY.

This has been called by Superintendent Brockway, of New York, "Indiana's criminal clearing-house."

The governor appoints four citizens of the State, who constitute a board of managers. The board appoints and may remove for cause a general superintendent, who shall be the secretary of the board. The board of managers fix all salaries, and *are debarred from soliciting or requesting the general superintendent to appoint any person to any position in the institution.* They examine the books, accounts, etc., of the institution at least once every month, and record the result of the examination, and certify the same, with their approval or disapproval, to the

auditor of State, and make a report of the business and reformatory work of the institution every two years to the legislature of the State.

The board is required to provide for the thorough training of each inmate in the common branches of an English education and in such trade or handicraft work as will enable him, upon his release, to earn his own support.

All persons convicted of crime over 16 and under 30 are committed to the custody of this board, to be kept by them wherever they think best. This board has power to transfer the prisoners under its control to the State penitentiary and withdraw them from that institution. It may parole these prisoners, and reimprison them; grant a final discharge to worthy paroled prisoners, and make rules for carrying into effect all laws directing the management of the reformatory and the reformation of its prisoners.

The general superintendent is the general executive officer of the board of managers; he appoints all subordinate officers and employees after a rigid examination as to their education, trade knowledge, moral character, and fitness for the care and custody of those persons who may be sentenced to imprisonment in the reformatory, and he may remove them at his pleasure. He has charge of all property of the reformatory, and of the inmates of the institution; with power to discipline, govern, instruct, and employ them, and is required to use his best efforts to reform them. A register is kept in which is entered the date of admission, the name, age, nativity, and nationality, and an exact measurement of the inmate according to the Bertillon system, with such other facts as can be ascertained of parentage, education, occupation, and the early social influences that affect each individual. An account is kept of the treatment each is subjected to, as well as minutes of the observed improvement or deterioration of character that results from the methods and treatment employed; the superintendent recommends which inmates should be paroled and those whose reformation has been verified by perfect conduct while under parole to be discharged from further imprisonment.

It is noteworthy that among the officers of this institution is a "State agent" whose appointment is required by law. His duties as set out in the law itself are "to aid and secure, if possible, proper employment for all prisoners who have so conducted themselves as to be entitled to go out from said reformatory on a parole, and also for those who have become entitled to an absolute discharge before the maximum time for which he was sentenced." The State agent gives all his time to this work, which is supplemental to that of the chaplain, under whose general direction he carries out the idea of the law.

This institution is fortunate in its chaplain and the manner in which he is performing his work.

The management are of the opinion that general services of the highest order should be held; that none but able, consistent, and

entertaining persons should conduct them; that Sunday meetings for the discussion of ethical topics from a purely religious standpoint, like a Sunday school, but modified to suit the special work at hand, is the best way to reform these men, and that the chaplain should visit the men in their cells, not in a high-sounding, strait-jacketed manner, but as man to man, knowing the temptations that flesh is heir to, making them feel that he wants to and is able to be a true friend and adviser. They claim that their policy is being successfully carried out and that men and reformatory are the better for it, growing in strength of character from day to day, as they perceive that only by giving up part of our natural rights are we truly at liberty and freemen.

In accordance with the law, the board of managers create the offices and prescribe the duties and salaries of those who fill the same. They hold no one responsible except the general superintendent.

Their directions as to the character of persons to be employed are as follows:

Religious and political ideas and interests must never be a bar to employment. Competent and efficient officers must not be removed to give place to those not known to have superior qualifications and experience.

Character, intelligence, special adaptability to the position to be filled, either natural or acquired, industrious inclinations and habits, as well as a desire to make institution work a business to be followed, are essentials to applicants for appointment.

The officers who are unmarried live in the institution, those married may room at home, but all are to get their meals at the officers' quarters. The purpose of so doing is to be able to have every man ready for duty at the very moment the rules require such duty to be performed.

The board meets once a month, serving until May, 1899, without salary, receiving only their expenses when from home on business of the reformatory.

At the session of 1899 the legislature of Indiana took a backward step, and put the managers of all institutions on a small salary, cutting off the expense account. The effect of this change is not yet apparent, but I believe it will lower the standard of the boards.

All inmates on entering are placed in the "middle" grade. The commission of certain offenses reduces the inmate to the lower grade. Promotion to the upper grade is secured by maintaining a perfect record for six months. In order to secure a parole it is required of an inmate that he have a record which shows twelve months of continuous good conduct, and that he has served the minimum time for which he was sentenced. In addition to this the inmate must secure the confidence of the management. The confidence of the management will be given when they, having reviewed his whole life, become convinced that the inmate not only desires, but has the stamina and ability, to lead the life of a good citizen. The parole is made effective when proper employment has been secured and the inmate has sufficient funds to take him thereto, buy proper clothing, etc.

Twelve months of good record on parole usually secures the inmate's absolute release, but he is expressly told that he may be compelled to report until the maximum time of his sentence has expired, as well as being kept under surveillance. To insure a correct living of the inmate the board has adopted a code of rules, which, while particular and exacting, do not require any different manner of living than one gentleman would, as a matter of course, accord to another in daily life, in addition to rules required to keep the institution on a high sanitary plane, and impress upon the mind of the inmate that principle of civilization that if we live in society we must not only obey its rules but so conduct ourselves as not to interfere with or prejudice the rights and properties of others.

The inmate is treated impartially. Every effort is made to know the truth before any punishment is inflicted. It is impressed on every man accused of disobedience of the rules that, while the management does not make rules to be broken but to be obeyed, yet it deems deception and an effort to avoid the consequences of disobedience as a much more reprehensible act than the breaking of the rule.

The inmate is assisted to hope for better things, manliness and cleanliness is encouraged in every way, all the time giving him to understand that reformation of life and a real desire and ability to do right must come before the door swings back on its hinges and he is allowed to go forth as a paroled and then a free man. And yet, further than that, the knowledge that the officers of the institution are his friends, and that the power of the State is back of him to maintain his rights and manhood, is impressed upon all. The stamina that this knowledge gives these men is wonderful; as one said to me: "It's all one could ask of a good father or mother." The State agent who looks after them is not thought to be a spy upon their conduct, but in most cases is welcomed as a friend who will aid them in all ways.

When an inmate enters he is given his first meal and outfit. After that, he must earn his own living by doing the work or duty assigned him, and so living that fines for mis or mal conduct do not render him a pauper even there. Upper-grade men earn 55 cents a day, middle-grade men earn 50 cents a day, and lower-grade men earn 45 cents a day.

The work in the reformatory is under contracts made by preceding administrations; a change to more educational labor will be adopted as soon as the present contracts expire.

If a contractor desires some extra work done, upper-grade men are assigned to do it, and the amount really earned is passed to their credit, to be paid to them on leaving, unless lost by fines. The amount that some inmates have at the time of their release is no inconsiderable sum, depending on the length of their minimum time. Upper-class men pay for board and clothing 45 cents a day. Middle-class men pay for board and clothing 40 cents a day. Lower-class men pay for

board and clothing 37 cents a day. In addition to this they are charged 10 cents a visit for medical attendance. If excused from duty by the physician, no charges are made for attendance or support and no wages are given.

There is no amnesty day at this institution, to which the inmate can look forward to for relief, as there is at some reformatories; each man *must earn* his discharge.

The rules defining the duties of officials and inmates are printed in the same book, and each person has a copy, it being believed that open and honest living is best for reformatories, as it is best in ordinary life. Any inmate can see the general superintendent or the managers, if present, at any time they ask for the privilege. The inmates know that frivolous requests will not be received with favor. No fines will be imposed or punishment inflicted, however, if the interview has been improperly asked for. The only loss the inmate suffers is that of the confidence of the management in his stamina, manhood, and character.

No attention will be paid to applications for paroles of inmates made by outsiders. If made with the knowledge of the inmate, it will seriously affect his ability to get a parole, absolutely preventing it for the time being, as confidence of the management would be lost.

Upper-grade men can write a letter every two weeks; middle-grade men once a month; lower-grade men can neither send nor receive mail.

The use of tobacco is prohibited in the institution by inmates and officers. The officers are forbidden to use liquor.

The reformatory has only commenced work under this law and these rules, but what has been done has been under a corps of officers who did good work under the former system, and did much to bring about these very changes. If they could do good work under such difficulties, what may we not expect of them with their present advantages. Under officers whose aim is to do this work well, the tone of the prison has been greatly improved. Bright eyes and faces are the rule; downcast eyes and sullen and somber faces are the exception.

A synopsis of the State agent's report of October 31, 1899, shows the following:

The parole law went into force April 1, 1897, with a population of 820, increasing quite gradually to 940 inmates. There have been paroled up to this time 190 men, of whom 165 have been and are doing well. Of the 25 who have not done well, 8 left the State; 2 committed crime, not serious, and 15 were brought back because of drinking liquor.

Some calculations made on the records of those paroled before October 1, 1898, of which there were 161, showed that 39 of this number had become entitled to a final discharge, 2 had died, 8 had left the State, and 11 were returned and have since been discharged at expiration of sentence. These men had not had the education that the men who are now being paroled have, and much less than those that will be discharged later. It is well to note that with all drawbacks they recommenced life, in

most of the ordinary walks, scattered all over the State, with better and more honest efforts and success than the general citizen has lived under the like surroundings and circumstances.

The reports of these 161 paroled men show that they have earned while on parole, \$20,158.38 in cash. In addition to that, 78 of them received from their employers their board, lodging, and washing, which was worth no inconsiderable sum. The State has profited by their parole at least \$10,182.50, for it would have cost that amount to have fed and cared for them.

The 87 men reporting October 1 had \$1,882.20 in cash on hand, and most of them had already secured and paid for their winter clothing, overcoats, shoes, etc., in anticipation of cold weather.

Better than all of that, the reports of the State agent stated that these men were better established in life than ever before, besides gradually winning the confidence of those with whom they were surrounded.

A special report of the agent made January 1, 1900, makes the following showing as to the work of 1899:

The total number paroled from January 1, 1899, to December 31, 1899, is 283. Of this number 10 have already received final discharge, 13 have been returned to the institution, 29 are delinquent, 2 have died, time of one has expired and he ceased to report, and 1 is serving additional sentence in another prison. There are therefore 43 unsatisfactory cases, or a little less than $15\frac{1}{4}$ per cent of the whole. The delinquent cases are $10\frac{1}{4}$ per cent. These averages are nearly the same for the entire number paroled since the beginning of the present system.

Of those still reporting who were paroled during 1899, 16 out of a possible 20 will be granted final discharge at the February meeting of the board of managers. One each of these 16 shows in final report cash on hand, \$42, \$50, \$56, \$90, \$145. The remainder together report a total of \$173.40. These figures are not the only sign of progress the men are making, as many have reestablished homes, paid off old debts, and in other ways taken firm footing as good citizens. Three of the men are farming on their own account.

Indiana is reaping another very perceptible advantage from this law, known to those who come in contact with the criminal classes. The habitual criminal is emigrating from our midst. We shall not have to catch him, adjudge him guilty, and care for him the maximum term for which he would be confined in the future. He will go where dungeons are said to be more vile, but where he can get out soon, on good time allowances, should he be caught.

While the law is new, it has been in operation long enough to convince those who have observed its effects that the average duration of imprisonment will be increased.

Old law: 300 men served 575 years, 10 months, 24 days.

New law: 300 men served 610 years, 3 months, 1 day. Average time served, 2 years and almost 13 days.



SCHOOLROOM, INDIANA STATE PRISON.

This is contrary to the reports of the Elmira Reformatory, and time may show that the present tendency will not continue. It may be that the management is too conservative; of this, experience can alone determine. There is a feeling among those in authority, however, that such retention of the inmates is not altogether wrong, and that it is probably for the best.

The State must educate her citizens, so that they may have the knowledge and power to do right. If one fails, when free to acquire such knowledge and power, should not the State, when he is a delinquent, compel him to surely acquire the ability to be a good citizen before he is given his freedom again. Such is now Indiana's policy at the reformatory, and will continue to be until she has received additional light.

THE STATE PRISON.

This institution is the only one in the State of Indiana that remains in politics. It is administered by a board of directors of three persons that are now all of the prevailing political party. (See note A at conclusion of this paragraph.)

This board appoints the warden; the warden appoints the deputy clerk and such other assistants as the board of directors may deem necessary, subject to the approval of the board. No one differing in politics with the board has been appointed.

The prisoners are the murderers of the State, those felons who are found to be over 30 years of age, and such incorrigibles as the board of managers of the reformatory send there as unfit to come in contact with the other inmates of that institution.

The discipline of the prison has been improved over what it was two years ago, corporal punishment having been abandoned, solitary confinement being more generally resorted to than formerly. Yet the old lock step is still in use over the objections of some who think they know that its effects are other than elevating. Three hundred and forty-three men were punished in the past 15 months, receiving 660 punishments, which consisted in deprivations of privileges, reduction in grade, and solitary confinement on bread and water in large, well-ventilated cells, with 12 hours at the door in handcuffs, in two periods, broken by a 30-minute interval, all such cells having self-flushing closets.

The Bertillon system of measurement has been adopted and is systematically being used, with the hope that a general bureau of like information will soon be adopted by the General Government.

A good school is conducted by the chaplain for those who wish to learn, but it is not, as it should be, compulsory. The last term there was a total enrollment of 149 and an average attendance of 93½.

Religious services are held by the chaplain, a Protestant, and also once a month by a priest of the Roman Catholic Church. In addition to this, there is a Christian Endeavor Society of 225 members, which seems to be doing a good work in elevating the moral sentiments of the

convicts. While some outsiders assist in such services, the only assistance permitted is from those in whom the chaplain has great confidence, he preferring to attend to such matters in his own way.

The prison has adopted a progressive classification of its prisoners, grading them according to the following rules. There shall be three grades—first, second, and third. All prisoners on entering are placed in the second grade.

Prisoners may lose their grade, first, by such violation of prison rules as shall necessarily subject them to solitary confinement; second, for general disorderly conduct; third, for habitual laziness, untidiness, or negligence; fourth, at the discretion of the board of control, the warden, or the deputy warden.

First grade.—First-grade men shall be dressed in a gray uniform, and be entitled to the following privileges: To eat at the dining table known as the first-grade dining table, of which the table service and variety of food shall be distinctive features; to write one letter every alternate Sunday; to receive visits from friends once in every two weeks; to receive such letters and weekly papers as the warden may approve; to smoke or chew in their cells in the evening; to wear a moustache, neatly trimmed, and from time to time, such additional privileges and immunities not herein enumerated as may be safe to concede as a special reward for meritorious conduct, having at all times in view the best interests of discipline and good order.

Second grade.—Second-grade men shall be dressed in a plaid suit, and be entitled to the following privileges: To eat at a dining table known as the second-grade dining table, of which the table service and variety of food shall be distinctive features, not as great as that allowed in the first-grade dining room; to receive visits from friends once a month; to write letters on the fourth Sunday in every month; to smoke or chew in cells in the evening. Prisoners in this grade will be eligible to promotion to the first grade, provided that they shall show a perfect record for three consecutive months.

Third grade.—Third-grade men shall be dressed in striped clothing. They shall be allowed to have in their respective cells a Bible; all third-grade prisoners shall be deprived of the following privileges allowed to other grades: To receive visits from friends, or write letters, except on matters of the greatest importance, and then only by permission of the warden; they shall not be allowed to receive newspapers or tobacco, nor to take their meals in the dining room, but in the cell houses; their food shall be plentiful and substantial, but very plain and of less variety than that allowed second-grade men; they shall not receive outside news of any kind, except by permission of the warden, and they may be further deprived of such privileges, from time to time, as may be considered for the best interests of discipline and good order. Prisoners in this grade will be eligible for promotion to the second grade, provided that they show a perfect record for three consecutive months.



A SOLITARY CELL, INDIANA STATE PRISON.

By the law of 1897 the prison board was authorized to parole worthy prisoners serving an indeterminate sentence.

The board has adopted a fairly good set of rules as to the granting of paroles. It requires the prisoner to have served his minimum time; that he has been in the first grade six months preceeding his application; that judging from his character, tendencies, habits, and ideas, as shown by his whole life, he is fit to go out among his fellow-citizens. Then there must be a guaranty of immediate employment by some person, indorsed by the judge of a court or some one known to the board.

The rules forbid an outsider to ask for the release of a prisoner, or an attorney to appear for him before the board of control, and provide that no influence, either personal or political, be used or attempted in his behalf.

When out on parole the prisoner must live an upright life, refrain from drinking liquor, avoid evil associations and amusements; make report each month for twelve months at least, and he may be required to continue making reports until the maximum period of his sentence has expired.

The board and all the officials in their reports speak very highly of the indeterminate-sentence law and the parole, and give it as their opinion that it will be a great aid in carrying on the work of the prison, as well as a great benefit to the prisoners themselves. They say they believe it ought to be administered very conservatively, and hence have only paroled 31 prisoners, 27 of whom are still under parole, and all are reported as doing well.

The law requires the appointment of a State agent for the prison, whose duties are stated to be "to aid and secure proper employment for all prisoners who have so conducted themselves as to be entitled to go out from such prison on parole and also for those who have become entitled to an absolute discharge before the maximum time for which they were sentenced.

The conservatism of the management and the desire to do nothing unless there be a special appropriation to pay for it is such that it appointed the clerk of the prison, already a very busy man, without salary, to attend to the duties of this office. He has so carefully managed the work required of him that it has cost the State but \$1.50 for each paroled prisoner.

The law was disregarded as to making visits to those out on parole. Nothing was done except by letter, for which reason the good results that ought to and would have come from this provision of the statute if it had been properly executed did not come to those who should have received them.

The system of bookkeeping at this prison, except that it lacks an accurate storeroom account, is to be commended in the highest terms. It is based on the latest system of keeping bank books. There being a very intelligent and comprehensive separation of the business of the institution under appropriate headings, it is very easy to tell exactly the amount of debit or credit each interest is liable for or possessed of.

Americans, it is said, value all things by two standards, first, what does it cost? and second, what do we get for our money? I am not willing to place the value of Indiana's penal system upon that kind of a basis. I deem the upbuilding of men of more importance than what it costs, no matter what the expense. There is no doubt but Indiana is moving rapidly forward, not only in penal matters, but in all benevolent, charitable, and educational matters, and will continue so to do till all those who should be cared for and controlled receive that which is best for them and the State. Yet while we strive after the best we must not forget the interests of the taxpayer who pays the expenses of these institutions, but give them our most careful attention.

I will therefore compare the cost of maintaining the two main institutions, and, in so far as general figures can show, give the character of supplies furnished.

During the fiscal year ending October 31, 1898, the State prison had a daily average of 784 inmates, the reformatory 909. The administrative force of the prison for that period consisted of 9 general officers and trustees, with 40 guards or employees. The reformatory during the same time was administered by 41.5 guards in addition to 13 general officers and trustees.

The cost of maintenance was as follows:

	Prison.	Reformatory.
Administration (salaries and wages)	\$38,021.92	\$31,346.96
Subsistence	26,794.72	36,790.06
Clothing (north end of State)	3,497.34	6,455.96
Office, domestic, and outdoor department	34,653.51	23,364.18
Ordinary repairs and minor improvements	3,500.00	6,347.27
Total	106,467.49	104,304.43

The subsistence was of more interest to the inmates than outsiders, but I give the items as reported:

Subsistence.	State prison.	Reformatory.
Fresh meats	\$7,622.67	\$15,940.93
Salted meats and lard	2,900.43	1,899.02
Fish, fresh and cured, oysters, etc.	332.21	169.72
Butter, eggs, and poultry	1,916.74	1,493.70
Vegetables	2,260.87	2,936.44
Fresh fruits	99.10	451.37
Dried fruits	642.93	407.55
Canned goods	669.60	1,081.69
Breadstuffs, cereals, beans, etc.	7,383.69	10,147.77
Vinegar and sirup	419.21	628.07
Tea, coffee, and sugar	2,125.52	1,503.37
Milk	68.70
All other food supplies	353.05	150.43
Total	26,794.72	36,790.06
Soap and cleansing supplies	850.47	1,380.58
Tobacco	2,665.24	Nothing.

Of the amount of meat reported as used at the prison, 123,768 pounds was fresh meat, 49,892 pounds was salted meat, and 10,185 pounds was corned beef.

The number of pounds of meat used at the reformatory are not given in reports, but are known to be larger per inmate than at the prison, less salt meat being used, and no corned beef.

It may be interesting, however, to give one week's supply. I have the week ending October 1, 1898, and it is as follows:

Potatoes	pounds..	2,900	Sugar	pounds..	320
Sweet potatoes.....	do....	1,650	Barley	do....	150
Cabbage.....	do....	1,550	Coffee	do....	98
Hominy	do....	1,050	Onions.....	do....	96
Meal.....	do....	1,400	Baking powder	do....	36
Flour.....	do....	5,000	Soda.....	do....	5
Beef.....	do....	3,798	Tea.....	do....	5
Pork shoulders.....	do....	1,444	Pepper	do....	10
Beets.....	do....	575	Ginger and spice (for gingerbread)		
Salt.....	do....	380	pounds.....		6
Rice.....	do....	220	Molasses	gallons..	75
Navy beans.....	do....	425	Vinegar	do....	18
Lard.....	do....	320	Tomatoes	bushels..	42

The legislature of Indiana passed a law which requires that each prisoner in a prison receive not less than three-fourths of a pound of clear beef, pork, or other meat each day, and a sufficiency of vegetables and bread. (Burn's Statutes, 1894, sec. 8223.) If the daily average at the State prison, 784 prisoners, had received three-fourths of a pound of meat each day, the total amount required would have been 214,620 pounds instead of 183,845, as reported. The prisoners lost or the State saved 30,765 pounds of meat during the year. If there had not been complaints, and if the management had not increased the amount fed after an investigation was had, we might find much to commend. That men can and will eat the full statutory allowance, look at the bill of fare for a week at the reformatory, above set out, when 5,242 pounds were issued to the inmates, about 904.

There are some other facts, such as amount of salaries and wages paid and number of men employed, which it might be well to call attention to if it were necessary to enable us to more surely make our point, viz, that when a prison management is made a reward for political services, not only do the prisoners suffer, but the State as well.

The inmates of a prison are well posted as to whatever wrongs, partialities, and grabbing are being committed or indulged in, and it is useless to hope for their betterment and uplifting if those in authority conduct the institution as political appointees have and will do.

So long as the officers must appoint their political friends, and can not discharge them when once appointed because of political influences, we can not hope to see many reformatory take place. We must expect lack of discipline, little respect for superior authority, and many punishments to inmates. Hence it is not to be wondered at that 343 prisoners out of an average of 784 received 660 punishments in 15 months and that only 31 were paroled.

NOTE A.—This report was first written in January, 1899. Its publication having been delayed till after January 1, 1900, it was revised in many places so as to make its statistical statements as of January 1, 1900, two decades from the numbers given at the London congress, and a decade after the last census of the United States, in 1890.

There have been so many changes during the past few years, most of which we hope are improvements, that I have decided to let the preceding statements as to the condition of the Indiana State Prison remain in the paper as written, showing its condition in 1899, and in this note call attention to its present condition.

In the early part of 1899 the board having this institution in charge felt the necessity of bringing it up to the standard required by public opinion. To do this they changed their manner of employing guards. They have adopted rules as to the character of men to be employed to such an extent that, if lived up to, will soon insure the institution a corps of efficient employees skilled in their work and assured that performance of duty will be the tenure of their office.

The public feel that the board really mean to carry out these rules, for the reason that in September last they appointed a new warden, who was given full authority to manage the prison for the best interests of its inmates. The new warden, with the approval of the board, has announced that politics, so far as that institution is concerned, shall be an unknown element in its management; that fitness and ability only will be considered when appointments are made, and unwillingness or inability to perform the duties imposed will be the only causes of dismissal.

These changes have wrought a revolution in the spirit and tone of the prison. Better order and more willingness—in fact, almost perfect willingness—to comply with the regulations of the institution is to be seen on all sides, especially among those who may be paroled.

The new warden placed all the third-grade men back in the second grade, and but one in the past two months has so far forgotten himself as to fall again, and discipline has been unusually well maintained.

The character of food served the convicts has been greatly improved, with no particular change in cost, the vegetables raised being utilized to the largest extent practicable.

The number of men paroled during the year was 130, and they earned during that part of the year they were out \$11,404.56. Those paroled prior to that time, and yet reporting, earned during the year \$3,235.98.

Instead of being without a "storeroom" and its account, this institution has now the best one I know of at any place of its kind.

It also has a real State agent, who is on the outlook for places for the men, and who visits them both in and out of season, whenever necessary or convenient. This one change is deserving of great praise, and the agent's reports show that the good being done by the prison is greatly increased and conserved by a vigilant oversight of the men when out, which can not or will not be done by any chance appointment to the place of monitor over the men on parole.

The management of the State prison of Indiana has for many years been above the average prison of the United States, and I do not, by what I have said, desire to give the impression that it was otherwise, or that it is perfect as now administered, but I am very anxious to show that a prison under reformatory ideas as to management is much better than under any other character or kind of control, and also to prove that political or inefficient management must cease if reformatory methods are adopted.

GENERAL ADMINISTRATION.

While each of Indiana's penal institutions are under a separate board, I believe the opinion is gaining ground that there should be a single board having authority over all; that all sentences should be

absolutely indeterminate; that the commitment should be to the care and custody of such board with authority to keep such convict at the institution most adapted to his needs and character; that this board should have authority to transfer those in their charge from any one to any other institution; that they should have power to parole and finally discharge the convict when he is fit to live in general society or hold him, even if the remainder of his days, until that condition is apparent in him. I feel certain that but a short time will elapse until the benefits of the parole law will be extended to all life prisoners after they have served a term of from fifteen to twenty years.

Indiana has a board called the Board of State Charities, which has the right of visitation to all the institutions that rely on public funds for support.

This board has labored diligently to bring about a good understanding among the institutions they visit. In the main they have succeeded to an unusual degree. They have been largely instrumental in removing all (except one) of our institutions from partisan control. They seek to protect the management of all institutions from improper criticism and unjust assaults as much as to protect the inmates from improper administration, besides keeping the public informed as to the merits and needs as well as the derelictions of the various officials in charge.

INSTRUCTION.

In a general way I have spoken of the efforts to instruct the inmates of our institutions. There is, in the main, an earnest effort to give them at least an ordinary education.

The character of education possessed by the inmates of the reform school when they enter is very poor. The superintendent of that school says that unwillingness to go to school is the most usual reason why the boys come to his place, and he believes a good compulsory education law, which we have had for two years, would soon decrease very materially the number of boys sent to him.

At the reformatory, of the 558 who were admitted in 1898, 452 could read and write, 15 could only read, while 91 could neither read nor write. In another view, 15 had a high school or better education, 267 had a common school education, and 276 had a poor education.

At the prison, 620 could read and write, 72 could read only, and 90 could neither read nor write.

At the woman's prison, of the 32 received, 22 could read and write, and 10 were illiterate; of the 46 girls received at the school, 7 could read and write, 37 had a fair education for their age, and only 2 had no education. The youngest girl received was 8 years old, the eldest 15, the average 13½ years.

As to libraries, too little attention has been paid to the needs of the convicts. There is a good but small library at the boys' reform school,

and another of like nature at the girls' reform school. A new library of 1,700 volumes has recently been placed in the reformatory which is much used and appreciated by the inmates. The prison reported two years ago that it had "no more than 2,000 volumes at best, and two-thirds of them are only parts of books, having been used and repaired until they are useless." They are in such a state of "innocuous desuetude" as to be of little benefit. Since that time large additions have been made and the present library is very creditable.

WORK AND EARNINGS.

I have referred to the class of work done, and would not again were it not that there is the usual contention in this State as to how prison labor should be employed.

The legislature says there shall be no more contracts let. What will be done is now uncertain. Most likely, however, there will be small appropriations each year for several years for the purpose of following some such plan as that now so generally known as the New York plan.

While one hesitates to give any scheme his indorsement that has been in operation no longer than the New York scheme, I believe it is the general opinion that that plan of utilizing the prison labor is more likely to succeed than any other now in use.

The old prison south has for many years failed to earn enough to make itself self-supporting. The making of it into a reformatory will reduce the amount earned very materially, the policy of that institution to instruct rather than to produce being likely to bring about that result.

The total receipts and earnings of the reformatory for the fiscal year of 1897 was \$49,754.15; for 1898 it was \$53,380.97.

It must be noticed that in 1895 a contract was made by which the contractors were to erect the large factory building as part pay for the labor of a large number of men and only pay 10 cents per day for their labor in addition; hence the amount of cash earnings received is much smaller than it otherwise would be. The State prison (prison north) has always earned a larger amount, the earnings having always, or nearly so, been sufficient to pay the expenses of maintaining it. For the year ending October 31, 1897, the total receipts were \$69,576.52, and for last year \$48,148.

SCHOOL OF PENOLOGY.

Such a school is necessary, if the results expected are to be realized. I believe they can be, for if good results follow from the imperfect methods heretofore employed it is not unreasonable to expect that more competent and better instructed officials will do better than those who merely have experience as their teacher, at least during the beginning of their career.

HEALTH.

The State prison is peculiarly fortunate as far as location is concerned, with good sewerage, excellent water, and uncontaminated air, coming, as it does indirectly, from Lake Michigan. The reformatory is not so fortunate, yet with its good drainage and good water it ought to be and is reasonably healthful. The humid atmosphere in summer time makes the days and nights hot and oppressive, when it is delightfully cool and pleasant at the prison. The result of this is, especially in its present crowded condition, to make the inmates suffer from those temporary ailments that come from such surroundings.

The reformatory, being kept scrupulously clean and giving a generous diet, keeps what otherwise would be a most unhealthful condition within bounds.

The reports for 1897 and 1898 show the health of the inmates to be as follows at the reformatory:

Average number at sick call.....	51.55
Per cent attending sick call.....	.06
Average number excused from work.....	19.65
Average number days lost by each man.....	12.47
Death rate in 1897 (811 men)	1.47
Death rate in 1898 (908 men)	1.22

The number attending sick call at the prison is not reported, but from my knowledge of the two institutions I know it is less than at the reformatory, especially during the hot weather, when the conditions at that place make the number larger and greatly increase the daily average. At the prison 17 died from natural causes in 1897 in a population of 899, or 2 per cent; in 1898, 8 died, being 0.95 of 1 per cent; in 1899, 11 died, or 1.43 per cent. The change that proper ventilation, good water, paint, and cleanliness will bring to pass is pointedly demonstrated at the prison.

During the year ending October 31, 1896, tuberculosis caused 70 per cent of the deaths; in 1897 it was the cause of 44 per cent; last year there were none from that cause, while the almost total absence of bowel trouble last summer is a tribute to the water supply.

At the woman's prison, with 44 inmates, there was only 1 death in 1898. It was of an illegitimate child, born shortly after the admission of the mother. The physician in charge of this prison calls attention to the wretched health of the women when received. Of the 32 admitted last year only 6 did not require considerable medical attention immediately on admission. On the reformatory side 2 girls died, 1 from meningitis, 1 from phthisis pulmonalis. Of the 206 at the school only 105 were treated by the physician. I think the inmates of all the penal institutions enjoy better health there than they did previous to being confined therein.

MORAL REFORM OF CRIMINALS.

The effect of prison life upon the inmates is a question of such purely speculative character that anything like certainty can not be attained. There are many who, having fallen, learn by the experience that it is best to avoid criminal ways in the future. Others there are who become enamored upon contact with the life, and are criminals ever after. The remaining larger or smaller class, as the prison is well or improperly managed, can be and are influenced for good or evil, as they are treated and taught while within the influence.

Indiana's prisons were of at least average character before the change in law. It is thought they will in the future greatly benefit the middle class of which I have spoken. The extent of this benefit time alone can tell.

The moral tone of the penal institutions is much improved. The prisoners feel encouraged, more of them having hopes of success. The antipathy that so generally prevails against those who have been convicts in the minds of the general public is much less severe. A willingness to give these men another chance in life, especially those out on parole, is very marked. To sum up the whole situation in a word, it is now, January 1, 1900, much brighter and hopeful than it has ever been before.

On October 31, 1897, there were 784 in the State prison; of these 123 were recidivists of the 782 who were there October 31, 1898; then there were 162 recidivists. This unusual proportion was because of the transfer from the reformatory during the year of 70 incorrigibles by the management of that institution.

At the reformatory 1,377 different prisoners were confined sometime during the year. Of this number 125 were recidivists, 95 serving a second term, 27 a third term, and 3 a fourth term.

AID TO DISCHARGED CONVICTS.

There are no societies whose particular purpose it is to look after discharged convicts. There are, as we have spoken of, two State agents, one at the reformatory and one at the prison, whose duty it is to assist prisoners who go out on parole, and those who secure a discharge before their maximum time has been fully served. There is no aid or society to look after those who are discharged at the expiration of their sentences.

INTERNATIONAL PRISON CONGRESS.

The meetings of former congresses have been of incalculable benefit to the progress of prison reform. The papers that have been read, the discussions that have been had, and the conclusions reached have an authoritative value that will ever redound to the honor of those who have brought about these meetings and taken part in their proceedings. The reports which have recorded the proceedings are sought

after as the ultimate decisions of courts of the highest authority and greatest learning would be. The National Prison Association of the United States, which holds its congresses every year, meeting at those places where it seems likely to come most closely in touch with the people, has been a channel through which the good work of this body has been made known to a great portion of our people. The seed that has been so disseminated has undoubtedly assisted in no little degree to make that body of strong men become the great power they are along the lines they have chosen, as those where they can illustrate most practically the brotherhood of man and the true and logical fatherhood of God over us all.

THE REFORMATORY SYSTEM IN MINNESOTA.

By HENRY WOLFER,
Warden of State Prison.

It is not a favorable commentary on the enlightenment of organized communities that immediately upon the organization of a government the citizens thereof must protect themselves against the violation of the law. Minnesota offers no exception to the rule, and therefore the State prison at Stillwater was the second institution located in the State. Stillwater was selected in consequence of an agreement by which the capitol was to remain at St. Paul and the State university to go to St. Anthony Falls. This agreement was entered into immediately after the organization of the Territory, and in 1851 the State prison was organized and building operations commenced. Although crude and wholly of wood then, surrounded by a light wooden fence, there now stand on the site then selected massive stone buildings, surrounded on four sides by high stone walls of an average thickness of 3 feet and an average height of 30 feet, inclosing an area of $9\frac{1}{2}$ acres. The administration building faces the east. Entrance to the same is from the main street of the city. On the first floor is found the warden's office, general office, quarters for the board of managers, and reception rooms in front, and officers' dining rooms and officers' kitchen in the rear. The second floor contains the female prison in front and two dining rooms for male prisoners in the rear. The cell houses stand immediately in the rear and to the west of the administration building, and are built entirely of stone and iron with steel roofs and rafters. All cell floors are of sheet steel and all gallery landings and gallery walks of the same material. The main portion runs east and west. Two cross sections were built in 1884, running north and south. The cell house now contains 565 cells. In 1889 there was built a commodious hospital building at the extreme west center of the prison yard, facing the main street. The first floor of this building is used for the deputy warden's office and punishment cells; the second floor for hospital purposes and office of the prison physician. The shops and warehouses of the institution are all built of stone and brick.

INDUSTRIAL SYSTEM.

The old contract system was abolished some years ago and the prisoners are now employed under the State account and piece-price systems,

about equally divided. Under the former the State manufactures binding twine, cordage, and high-school scientific apparatus; under the latter, boots and shoes. All of the prison industries are yielding very satisfactory results, and the changes made during the past few years have proven very beneficial to the prisoner, in that they provide a larger amount and an increased variety of mechanical labor, thereby affording a higher standard of industrial training for them. The financial results from these changes have also proven equally beneficial to the taxpayers of the State, so that the prison management has been able to make the unusual showing of having been much more than self-supporting during the past two years.

A CONDITIONAL-PARDON SYSTEM.

As early as 1892 there existed in the minds of a few men who had given the prison question serious study the conviction that some changes ought to be made at the State prison with a view of introducing reform measures into the general prison system of the State. This resulted in the promulgation of an executive order, and the adoption of resolutions to carry it out, issued by Governor W. R. Merriam, on March 22, 1892, as follows, viz:

The governor of Minnesota, by virtue of the prerogative vested in him by the constitution, and wishing to secure to the prisoners of the State those privileges which the State legislature intended to bestow on the prisoners of the reformatory, and believing that such action will conduce to the reformation of convicts, good discipline, and the public welfare, hereby establishes the following regulations for conditional pardons:

First. These regulations shall apply only to the convicts who are serving their first sentence in the Minnesota State Prison and are not known to have served time for a felony in any other prison. And it shall be the duty of the prison warden to inform himself as far as practicable as to the previous prison record of convicts under his charge.

Second. No prisoner shall be eligible for conditional pardon who has not served at least one half of the full term for which he was sentenced, not reckoning any good time.

Third. No prisoner sentenced for one year or less shall receive a conditional pardon before he has served at least two thirds of his sentence.

Fourth. The board of managers shall establish three grades, with a system of marks under such regulations as they may prescribe, and only first-grade men shall be eligible for a conditional pardon.

Fifth. The board of managers shall not entertain any petition, receive any written communication, or hear argument from any attorney or other person not connected with the prison in favor of the conditional pardon of any convict.

Sixth. All applications for conditional pardons shall be made to the board of managers through the warden, but no such application shall

be considered by the board of managers until the warden shall file a written statement comprising—

a. The fact that the convict has not, as far as ascertainable, served sentence previously in any prison for a felony.

b. A full statement of his prison record, showing that he is in the first grade and has had a clear record for at least three months preceding.

c. The warden's statement that, in his opinion, the convict, if released, will lead an honorable and upright life, and that his release would be for the public welfare; this opinion to be based not simply upon the convict's prison record, but also upon the warden's judgment as to his actual purpose and character.

Seventh. No convict shall receive a conditional pardon unless four members of the board of managers shall recommend the same in writing, stating that, in their opinion, if released, he will lead an upright and honorable life, and that his conditional release will be for the public welfare.

Eighth. The board of managers, before passing upon an application for conditional pardon, shall call the applicant before them and examine him, with a view to forming an independent impression as to his fitness for release. They shall also question one or more of the subordinate prison officers to the same end, and they may, if they deem proper, institute inquiries by correspondence or otherwise as to his previous history and character.

Ninth. No conditional pardon shall take effect until the warden shall certify in writing that suitable employment has been secured for such convict with some responsible party.

Tenth. Every prisoner released on a conditional pardon shall be liable to be retaken and returned to the State prison in case he shall violate the conditions of said pardon the same as if he had escaped from the prison walls.

Eleventh. The governor reserves the right to refuse a conditional pardon, notwithstanding the recommendation of the board of managers, in any case where he may deem it necessary for the public welfare.

The granting of conditional pardons under the foregoing regulations proved so satisfactory that on March 27, 1893, a law went into force providing for the indeterminate sentence and the grading and parole system at the State prison. Under this law the board of managers are authorized and empowered to establish three grades of prisoners, together with a system of marks, and to prescribe rules for the regulation of such grades and marks, but that no prisoner shall be released on parole, unless he shall have been for six months preceding a member of the first grade. Prisoners in the second and third grades may be deprived of such privileges, as the board of managers shall direct. It is made optional with the judge to give the prisoner at the bar a definite or an indeterminate sentence, but in either case it leaves the prisoner to work out his own salvation under very helpful and en-

couraging conditions. Among other things, the law provides that if the prisoner is sentenced under the indeterminate or reformatory plan, that he may be paroled at any time, at the discretion of the board of managers, after he has made suitable proficiency under the grading and parole system, and that he may be discharged, at the discretion of the board of managers, any time after the minimum sentence provided by law for the crime committed shall have elapsed. Under the definite sentence it provides that the board of managers shall have authority under such rules and regulations, as the governor may prescribe, to issue a parole to any prisoner, excepting life convicts, who may be imprisoned in the State prison, whether committed on a time sentence or the reformatory plan, and further provides—

First. That no convict shall be so paroled who is known to have served a previous sentence in any prison for a felony.

Second. That no convict who is serving a time sentence shall be paroled until he has served at least one-half of the full term for which he was sentenced, not reckoning any good time.

Third. That no convict who is serving a life sentence shall be paroled.

Fourth. That all such convicts while on parole shall remain in the legal custody and under the control of the board of managers, and subject at any time to be taken back within the inclosure of the said State prison, and full power to retake and reimprison any convict so upon parole is hereby conferred upon said board, whose written order certified by the warden shall be sufficient warrant for all officers named in it to authorize such officers to return to actual custody any conditionally released or paroled prisoner, and it is made the duty of all officers to execute said order the same as ordinary criminal process.

Fifth. That in considering applications for parole it shall be unlawful for the board of managers to entertain any petition, receive any written communication or hear any argument from any attorney or other person not connected with the said prison in favor of a conditional pardon or the parole of any prisoner, but the said board of managers may, if it deem proper, institute inquiries (by correspondence or otherwise) as to the previous history or character of any prisoner.

THE PAROLE SYSTEM.

The grading system with conditional pardon and parole has been in practical operation at the State prison for the past seven years—the first year under conditional pardon, which gave practically the same beneficial results and opened up the way for the enactment of the general parole law which has been in force during the past six years. That it has given good satisfaction is generally conceded—it has met with no criticisms in the State. The experience at Stillwater has demonstrated that the parole system can be safely and profitably introduced into the management of a penitentiary as well as a reformatory, and that material can be found in our penitentiaries upon which the benefits of the system can be safely bestowed with safety to society as well as to the offender. Its utility as a disciplinary measure has been fully demonstrated, in that it has greatly lessened the number of severe punishments necessary to maintain a high standard of discipline. At the same time it affords a humane and effective means of reaching and

bringing out the best elements of the prison population. The warden's report to the board of managers demonstrates that punishments at the prison for infractions of the rules have decreased 50 per cent since the parole system was introduced. Three hundred and sixty-three have been paroled, of which 33 have violated their paroles and were promptly returned to prison, leaving 4 parole breakers still at large. Thus it will be seen that very few comparatively have proven recreant to the trust imposed by parole. The precautionary measures taken by the management to test the worthiness of parole applicants before granting paroles, are, as a rule, sufficiently thorough to guard against the release by parole of the undeserving. I believe there is a feeling in some States that the parole system can not be safely introduced into a penitentiary; that it is even of doubtful value as a reform measure in the management of reformatories; that it opens up a way for the early release of a class of criminals that are a menace to society. This may have been true in some States, and where such a sentiment exists against it, I think it is safe to assume that there is some reason for it, but I am glad to say that no such feeling exists in the State of Minnesota. I think we may also safely assume that where these abuses have occurred it is not the fault of the system but rather in the faulty manner of its application. What is good for the reformatory is of equal benefit to the penitentiary, so long as it produces good results, and this may be safely counted upon provided the hopeful material may be found upon which to work, and provided further, that the work is done right.

EDUCATIONAL.

The prison school term commences on October 1 and ends June 1 of each year. About one-third of the inmates attend; and the illiterate are required to attend whether agreeable to them or not; and those having the rudiments of a common-school education may attend if they wish. The following studies are taught: Reading, arithmetic, geography, bookkeeping, civil government, and commercial law. For the better educated prisoners, the Chautauqua Circle, established some years ago, opens up an interesting and instructive course of study. The regular course of Chautauquan studies is carried on under the guidance of officers elected from among the members of the society, composed wholly of inmates of the prison. The only officer not a convict elected since the organization of the society is the critic, the chaplain of the prison having been regularly elected to this position. All of the meetings of the circle have been conducted with good order and gentlemanly decorum. New studies have been introduced from time to time outside of the regular order of work, which has proven beneficial and instructive, and much interest and enthusiasm are shown by most of the members. As an educational feature it has been productive of much good in the prison.

MINNESOTA STATE REFORMATORY.

[Located at St. Cloud, W. H. Houlton, superintendent.]

This institution was established by the legislature of 1887 as an intermediate correctional institution between the training school and the State prison, the object being to provide a place for young men and boys from 16 to 30 years of age never before convicted of crime, where they might, under as favorable circumstances as possible, by discipline and education best adapted to that end, form such habits and character as would prevent their continuing in crime, fit them for self-support, and accomplish their reformation. The law provides for the indeterminate sentence, allowing of parole when earned by continuous good conduct, and final release when reformation is strongly probable, all under control of a nonpartisan board of six men, serving without pay, one appointed each year by the governor. The board elects a superintendent, who appoints his subordinates.

The total number of inmates received up to the date of the issue of the last report was 1,060. The number in the institution at the same date was 172, 2 of whom were women. There were 176 paroles granted during the two fiscal years covered by the last two reports. Of this number 150, or 85 per cent, kept the conditions of parole, 13 broke parole by absenting themselves without leave, 5 by drinking, and 8 for all other causes.

The site of the reformatory was selected to include a granite quarry near St. Cloud, hoping this would furnish work for a part of the inmates for some years, at least, preparing stone for building. Honest labor is required every day of each inmate unless excused for sickness. Almost every occupation and employment usual in a live community are carried on in a practical way in the reformatory, and each inmate is learning to fill some necessary place and do some useful work. They learn fairly well one of the following trades: Quarrying, dressing stone, blacksmithing, carpentering, steam and electrical engineering, plumbing and pipe fitting, stone and brick laying, cooking, laundering, and shoemaking; also to be waiters, clerks, florists, and farmers, the caring for stock, and the raising of fruit and garden truck. Besides the 20 acres inclosed with a 16-foot wall, 630 acres of wild brush land has been cleared and made into a well-cultivated and productive farm by the inmates. They have 200 head of cattle of all ages, including 50 milch cows, which furnish milk and butter to the institution; and 300 hogs, which supply the institution with abundant fresh pork, besides bacon, ham, and lard. Only one inmate has died at the reformatory during the last three years, and an average of only one has been treated in the hospital. Eighty per cent of the inmates are growing boys, 16 to 24 years only. They are hearty eaters and hard on clothes; and as they come without trades, are mostly undisciplined to labor or otherwise, and as soon as fitted to do so go out for themselves again, their cost to the State is much more in proportion than their earning

capacity. The object is reformation, and if that is accomplished and due economy is exercised the State is well served. The management seeks to learn by carefully directed questions to the prisoner, by his answers and by all other attainable means of information, what were the principal causes of his fall and what is his present physical, mental, and moral condition. He is told that the first lesson necessary for him to learn is discipline, followed by education and reformation; that punishment does not enter into the scheme, and that the length of his stay will depend largely on the efforts he makes to cooperate with the management in carrying out the principles having for their object his reformation. All enter the second grade on admission. For correct conduct and diligence in study and labor they receive small wages and credit marks which in five months entitle them to the first grade. Continuous bad record or serious offenses reduce to the third grade. The management seeks, by good and regular food, sleep, and work, to build up the bodies of the inmates, and the record of the institution shows that their efforts have met with a large degree of success. Nine months of the year they have night school, and in winter half of each day for those who can not read. Special help is also given to those desiring it. A good library is free to all, and largely used. Religious services are held every Sabbath, and instructive lectures are frequent. The records show that of all those sentenced to the reformatory for crime, four out of five—after leaving—maintain themselves as good citizens on the outside.

MINNESOTA STATE TRAINING SCHOOL FOR BOYS AND GIRLS.

[Located at Red Wing, Minn., J. W. Brown, superintendent.]

The training school was established by an act of the legislature in 1866, under the name of The House of Refuge, which was changed in 1867 to the State Reform School and placed under the supervision of a nonpartisan board of managers consisting of four members, in November, 1867. They purchased a site adjoining the then city limits of St. Paul, consisting of about 30 acres of land, with a stone dwelling house and barn, costing the sum of \$10,000, the city of St. Paul paying \$5,000 and the State \$5,000. An addition of 33 acres was made to the purchase in 1870. The institution was opened for the reception of delinquent children under 16 years of age on the 1st day of January, 1868. Rev. J. G. Riheldaffer was the first superintendent appointed. Up to the year 1889 the State had expended on buildings, furnishing, and water supply the sum of \$95,545. The great value of the property from its being incorporated into the city limits of St. Paul, the crowded condition of the school, and the necessity for additional buildings having brought about the question of removal of the school to some other point, the board of managers in 1887 secured the passage of a law naming a commission of citizens to select a new site which should contain not less than 160 acres, but not to be situated within 10 miles of any existing institution and authorizing the board of managers to sell the original

site and from the proceeds complete the purchase of a new site and erect buildings thereon, but in no event to exceed the amount realized from the sale of the property. This commission was duly organized, and after receiving proposals from a number of localities selected the present site, about 4 miles west of the city of Red Wing. This act also authorized the board of managers, if in their judgment the interests of the State could be subserved thereby, to select and purchase other lands situated in said county of Goodhue, within 4 miles of the court-house in the city of Red Wing, within said county. Under this act the board of managers selected a site about 2 miles east of the central part of the city of Red Wing, consisting of about 450 acres, commanding a beautiful view of the Mississippi River and Valley for many miles. The buildings now completed are the administration building or main building, the dining hall with kitchen attached, three cottages for boys, a school building, a power house, workshop, cold storage, barn, greenhouses, and a building for the girls' department. The building for the girls is a beautiful structure, large enough to accommodate 75, and contains everything necessary to make it a complete home as well as a well-organized school. All of the buildings are constructed in the most substantial manner on what is known as the slow-burning principle, finished in oak with hard-oil finish, and in plan are probably the best adapted for the purpose for which they are constructed of any buildings in the country.

The school is organized on what is known as the family plan, the school being divided into families graded according to the age of the children with from 50 to 75 in each family. Each family is in charge of a family manager, teacher, and housekeeper. So far as possible, the boys are afforded facilities for learning trades as well as acquiring a common-school education. Cabinetmaking, carpenter work, tailoring, shoemaking, printing, farming and gardening, floriculture, blacksmithing, and sloyd are carried on. The total number of children that have been admitted to the institution up to the 1st of August, 1898, is 2,101, of whom 1,879 were boys and 222 girls. At the close of the last report made by the superintendent of that institution there were 279 boys and 45 girls in the school. The legislature of 1895 changed the name from "Minnesota State Reform School" to that of "The Minnesota State Training School for Boys and Girls," and authorized the appointment of a State agent, who has the care of the boys and girls out on furlough, provides homes for the homeless and employment for those who need help.

MANAGERS.

All three of the institutions referred to are under separate boards of managers which are practically nonpartisan in character. One member is appointed by the governor each year on the different boards and holds office five or six years, respectively. They serve practically without pay and are selected from among the best business men of the State. The positions are purely honorary and are so regarded.

STATE AGENT SUPERVISION.

Each institution is provided with a State agent, whose duty it is to visit all of the furloughed or paroled prisoners at their various places of employment, to see if they are faithfully keeping their parole obligations, and to see that they are properly treated by their employers. He is also required to hold a personal interview with each one of the inmates (or several of them if necessary) in order to familiarize himself with their character and the requirements of each before release by parole or discharge. The State agent is also required to assist in finding employment for all inmates whether released upon furlough, parole, pardon, or by discharge. He is required to make a full report in writing at the end of each month to the warden or superintendent of each institution, giving a complete account of his work during the preceding month. He is also required to affiliate with prison aid societies and others interested in aiding paroled or discharged prisoners to become good citizens.

JUVENILE REFORMATORIES OF THE UNITED STATES.

By T. J. CHARLTON,
Superintendent Reform School, Plainfield, Ind.

The rapid growth of the juvenile reformatories of the United States is marvelous when we consider that it has all taken place in the last fifty years. True, the house of refuge on Randall's Island, New York, was established in 1824, and that at Philadelphia four years later; but their growth was slow, as they were regarded with more or less distrust. Now there are 65 reformatories for juveniles, with an average attendance of 19,410. Since they have been established 209,600 boys and girls have received the benefit of their discipline and teaching. A complete list of these, giving the exact name of each, date of its establishment, name of its superintendent, attendance on the date on which the report was made, and the entire number who have ever been in the school, is made a part of this paper. All institutions which partake of the nature of orphanages have been excluded. These are based on one of

TWO SYSTEMS.

The earlier reformatories, then known as "houses of refuge," were built in large cities and all their inmates were placed in one building, where an official could have charge of a large number. These institutions were said to be managed on the "congregate" plan. Later on, when the States began the establishment of State reformatories for juvenile offenders, most of them adopted the "cottage" system, which was deemed superior because of the better gradation of the inmates in the cottages. The more criminal youths were kept separate from the younger and less hardened ones. The early advocates of the "cottage system" saw nothing good in the "congregate plan," and believed no evils possibly could exist under the "cottage plan." For many years these two systems were the subject of many heated and even acrimonious discussions. Of late years all seem to be ready to say with Pope—

For forms of government let fools contest;
Whate'er is best administer'd is best.

There are excellent reformatories managed under each of these systems. The prevailing sentiment is in favor of the cottage system, connected with a large farm. As before mentioned, "house of refuge" was the name given to all of these institutions in their earlier years. A glance at the list reveals quite a variety of names, so that we must

conclude that the name is one of the unessential features. There seems to be unanimity in the conclusion that institutions of this kind should not be located in a city. There is a tendency to remove those already established in cities to the country. A notable instance was when the male department of the Philadelphia House of Refuge was removed to Glen Mills, where a typical reformatory on the cottage system was established. This was done largely by the liberality of wealthy philanthropists of that city, many of whom were members of the board of control. Another instance was the removal of the Minnesota Training School from St. Paul to Red Wing. As I stated, these juvenile reformatories were looked upon with distrust for the first two or three decades, yet it was finally conceded that if there were any defects in them it was not because of the system, but because of neglect in the administration. The idea of making them juvenile prisons, organized to make as much money as possible for the State, was abandoned. The gradual decadence in the apprentice system gave rise to the importance of some industrial system which should take its place. Appropriations, in some cases very liberal, were made for the establishment of industrial departments; not particularly in all cases to teach trades in their entirety, but to teach what would lead to the trades. It was recognized that the labor of such juveniles in such institutions should be "instructive," and not "productive;" that the great consideration to keep in mind was not the manufactured article made, but the boy or the girl who made it. They were the output which was to be made ready, so that when restored to society they would be a positive increase to the national wealth. Soon the statistics showed the wisdom of the change. In a few cases, opposition arose because the delinquent children of the State were receiving greater advantages than other children, and, like the elder brother of the prodigal son, certain classes were disposed to block the wheels of progress; but the good sense of the people asserted that no class needed to be made bread earners so much as the very class which had failed. So there were no steps taken backward. It was found that when delinquent children were given an industrial education they were more easily reformed. The best estimate of the success of juvenile reformatories gave the per cent of those who were actually reformed as from 80 to 90 per cent.

If juveniles could be so rescued, the people began to clamor for reformatories for adults. The State Reformatory at Elmira, N. Y., for adults between 16 and 30 years of age, was established, and, fortunately for the experiment, Mr. Z. R. Brockway was made its superintendent. The experiment with adults was a very great success. Other States established reformatories on the Elmira plan which have been successful.

The differences between the juvenile and adult reformatories are those which result from the difference of age. Trade schools are made prominent in both kinds, and education is given due attention. There is necessarily more restriction imposed in a reformatory for adults than

in those for juveniles. The juvenile reformatories have play grounds, freer conversation, and more intercourse than in the other class.

As the years have sped the character of the inmates is changing. At first in all the States nearly every juvenile reformatory admitted orphans who were in danger of leading a bad life, but that is not allowed except in a few cases now.

Several States have provided State schools for such. It will be observed that juvenile reformatories are not only those managed by a city or a State, but there are some established by churches. Indeed, the largest juvenile reformatory in the land is the Catholic Protectory of New York, the boys under the Christian Brothers and the girls under the Sisters. The inmates of this protectory are not strictly confined as delinquents. But in the following list this great institution is not included, because a greater part of the children are sent there because they are homeless. If the distinction could be well made it would probably add 1,000 to the list of the daily attendance. There are other church enterprises of this class of less size, such as St. Mary's Industrial School of Baltimore. Most of these church schools for delinquents receive some State aid.

INDUSTRIAL EDUCATION.

The earlier work of juvenile reformatories was patterned entirely too much after the prisons of that day. The school work was made subservient to the contract workshop. Indeed, the labor of inmates seemed to be managed in the interest of contractors. The welfare of the boy was lost sight of. So the inmates of these early reformatories, in many cases, were sent out into the world to make their own living almost wholly unprepared. The great object of the first institutions was to make as much money as possible for the city or for the State. But a change came over the sentiments of the people. They realized that if such reformatories were to be made efficient they must be made, as far as possible, trade schools. The labor was made "instructive" and not "productive." The great consideration now is the boy or the girl. This was the dawning of a brighter era in the American juvenile reformatories. From that time until the present the great object is the welfare of the inmate. He is the "output" that must be prepared with the greatest care. As a result, the best industrial schools of the United States are the juvenile reformatories. Not only is industrial education given its due prominence in these, but the elementary and academic education is given equal prominence. As a rule the boys sent to juvenile reformatories have been habitual "absentees" or "truants" from day schools.

LITERARY EDUCATION.

Their education has been neglected. This want has been promptly met by these juvenile reformatories. All inmates who are deficient in

education are placed in well-graded schools and kept there until they make up for past neglect. The schools of the institutions have done their work well, and the consequence is the American boy or girl of a juvenile reformatory is receiving a good elementary education. The best teachers are employed and the results of these schools are among the best in the land.

MORAL INSTRUCTION.

Realizing that the delinquent classes, more than any others, need the strengthening power of moral and religious training, all juvenile reformatory schools provide for the religious and moral instruction which is needed, be they Catholic, Protestant, or Jew. The juvenile reformatories of the United States have been freed from their earlier incumbrances and are now vigorously doing the work for which they were designed. The results are most satisfactory, about 80 per cent of their "output" becoming useful, patriotic citizens. This is no fanciful dream, but the actual fact.

The ultimate aim of all schools is to bring pupils to as high a development as possible, so that our girls and boys of the future may be the good citizens. When Theseus was 16 years of age his mother took him to the huge stone beneath which lay his father's sword and sandals, without which he could never enter Athens. The young hero's training had been such that he lifted the great stone away and entered upon his career of glory. The perfect developed citizen is not the work of a day. They do not spring, Minerva-like, fully armed and equipped from the brain of Jupiter; they are developed by long years of training. The managers of reformatories fully realize this. Boys are not reformed in a day. The average time of detention in the juvenile reformatories of this country is about two years, and we can not overestimate the importance of so preparing them that their hands and hearts may be made stronger in all those higher virtues that ennoble and adorn human character.

Appended to this report is a complete list of the juvenile reformatories of the United States, giving the date of their establishment, the average attendance, and the number who have been admitted up to the present:

Juvenile institutions

State.	Name of institution.	Estab- lished.	Superintendent.	Location of school.	Attend- ance.	Last con- secutive number.
California.	Whittier State School	1891	T. B. Van Alstyne	Whittier	304	1, 263
	Preston School of Industry	1894	D. S. Hirschberg	Waterman	143	362
Colorado.	State Industrial School	1881	Barnard L. Olds	Golden	116	1, 384
Connecticut	State Industrial School for Girls	1895	Elizabeth D. Benthall	Montclair	31	137
	Connecticut School for Boys	1853	Charles M. Williams	Meriden	436	6, 147
	Industrial School for Boys	1870	W. G. Fairbanks	Middletown	259	1, 371
Delaware	Industrial School for Girls	1893	Mrs. Laura E. Brown	Wilmington	26	40
	Ferris Industrial School	1898	H. E. Haines	Marshallton	68	279
District of Columbia	Reform School, District of Columbia	1870	George A. Shallenberger	Washington	245	2, 272
Indiana.	Indiana Reform School for Boys	1869	T. J. Shallenberger	Plainfield	549	1, 584
	Indiana Reform School for Girls and Women's Prison	1873	Mrs. Sarah Keeley	Indianapolis	205	1, 183
Illinois	School of Agriculture and Manual Training for Boys	1887	Oscar L. Duntley	Chicago, 113 Adams street	200	2, 400
	State Reformatory	1893	George Torrence	Pontiac	1, 397	3, 595
	State Home for Juvenile Female Offenders	1894	Opheletha M. Amigh	Geneva	187	261
Iowa	Industrial School for Boys	1868	E. J. Miles	Idora	492	2, 533
	Industrial School for Girls	1868	A. H. Leonard	Mitchellville	172	738
Kentucky	Louisville Industrial School of Reform	1865	F. Caldwell	Louisville	426	4, 157
Kansas	State Reform School for Boys	1880	J. M. Hart	North Topeka	228	1, 709
Louisiana.	Industrial School for Girls	1889	Mrs. P. J. Bare	Beloit	108	324
Maine	Boys' House of Refuge	1845	M. T. Moker	New Orleans	130	2, 376
	State Reform School	1853	Edwin P. Wentworth	Portland	119	529
Maryland	Industrial School for Girls	1875	Helen M. Staples	Hallowell	215	4, 880
	Female House of Refuge	1855	R. J. Kirkwood	do	92	737
	Industrial Home for Colored Girls	1883	Mrs. H. F. Whittmore	Melvale	114	722
	House of Refuge for Colored Boys	1872	Nathan Thompson	Cheltenham	265	2, 174
Massachusetts.	House of Reformation for Colored Boys	1866	Brother Dominic	Baltimore	541	4, 647
	St. Mary's Industrial School for Boys	1848	Theodore F. Chapin	Westboro	295	7, 194
	Lyman School for Boys	1856	Mrs. L. L. Brackett	Lancaster	102	2, 188
	State Industrial School for Girls	1870	Charles A. Johnson	Salem	26	362
Michigan	Plummer Farm School	1856	J. E. St. John	Lansing	581	7, 032
	State Industrial School for Boys	1881	Mrs. Lucy M. Suckles	Adrian	317	1, 355
Minnesota	State Industrial Home for Girls	1889	J. W. Brown	Red Wing	308	2, 117
Missouri	Missouri Reformatory School for Boys	1869	L. D. Drake	Boonville	411	1, 127
	State Industrial Home for Girls	1889	Mrs. Anna Clark	Chillicothe	96	1, 118
Montana	House of Refuge	1854	William C. Nolte	St. Louis	338	7, 898
Nebraska.	State Reform School	1894	Heaton C. White	Miles City	71	1, 144
	Girls' Industrial School for Boys	1891	Charles W. Hoxie	Kearney	150	1, 194
New Hampshire	State Industrial School	1881	B. R. B. Weber	Geneva	73	76
	State Reform School	1858	Thomas W. Robinson	Manchester	135	1, 831
New Jersey	State Industrial School for Girls	1867	Lra Otterson	Jamesburg	363	3, 160
	Newark City Home	1871	Mrs. Myrtle B. Eyer	Trenton	123	520
			C. M. Harrison	Verona	272	1, 004

Juvenile institutions—Continued.

State.	Name of Institution.	Estab- lished.	Superintendent.	Location of school.	Attend- ance.	Last con- secutive number.
New York	State Industrial School	1849	Franklin H. Briggs	Rochester	899	10,348
	House of Refuge	1824	E. M. Carpenter	Rauville Island	690	27,231
	Juvenile Asylum	1850	C. E. Bruce, M. D.	New York, 176th street and Arnstrong avenue.	1,042	35,420
Ohio	Berkshire Industrial Farm	1887	W. W. Mayo	Canaan Four Corners	25	317
	Boys' Industrial School	1858	D. M. Barrett	Lancaster	775	8,911
	Girls' Industrial Home	1869	A. W. Stiles	Rathbone	349	1,942
Oregon	Cincinnati House of Refuge	1850	James Allison	Cincinnati	452	8,707
	State Reform School	1891	E. M. Croisan	Turner	101	345
Pennsylvania	House of Refuge	1828	F. H. Nibecker	Glenn Mills	822	1,592
	Pennsylvania Reform School	1854	J. A. Quay	Morganza	590	7,549
	House of Refuge, Girls' Department	1828	M. A. Campbell	Philadelphia	165	5,411
Rhode Island	Sockanosset School for Boys	1850	James H. Eastman	Howard	373	4,822
	Oaklawn School for Girls	1850	do	do	56	361
	State Reform School	1888	C. W. Ainsworth	Plainington	116	317
South Dakota	Tennessee Industrial School	1886	W. C. Kilvington	Nashville	763	1,971
Tennessee	Utah Industrial School	1886	E. M. Allison	Ogden	24	220
Utah	Industrial School	1866	S. A. Andrews	Vergennes	133	1,284
Vermont	Laurel Industrial School	1879	John W. Cringan	School Post-office	123	1,420
Virginia	State Reform School for Boys and Girls	1891	Thomas P. Westendorf	Chehalis	149	553
Washington	Reform School	1890	D. W. Shaw	Pruntown	300	500
West Virginia	Industrial School for Boys	1860	Charles O. Merica	Waukesha	300	4,411
Wisconsin	Industrial School for Girls	1875	Mrs. Emma Bland	Milwaukee	260	1,694

Sixty-five reformatories are reported.

Totals: 19,410; 209,600.

WISCONSIN.

ACT ESTABLISHING A REFORMATORY.

The following is the text of the act establishing a new reformatory in Wisconsin passed April 24, 1897:

AN ACT to establish a reformatory for the custody and training of certain offenders whose ages at commitment are from sixteen to twenty-five years. (Chap. 346.)

The people of the State of Wisconsin, represented in senate and assembly, do enact as follows:

SECTION 1. There is hereby created and established a State institution to be known as "The Wisconsin State Reformatory," to which all male persons, between the ages of sixteen and twenty-five, inclusive, who for the first time, so far as can be judicially ascertained, are convicted of felonies now punishable by confinement in the State prison, or misdemeanors, the maximum penalty for which is imprisonment for one year in a county jail, shall, in the discretion of the judge having jurisdiction, be sentenced; provided, that no person convicted of murder in the first, second, or third degree shall be sentenced to said reformatory.

SEC. 2. The State board of control shall within four months from the passage of this act, with the consent and approval of the governor, select and purchase a suitable and proper site for said reformatory, which they shall pay for at a just and reasonable price.

SEC. 3. The site selected shall comprise not less than fifty nor more than two hundred acres of land. In such selection the said board shall take into account the general adaptability of the location to the economical and efficient administration of said institution, the receiving and shipping of freights, and such other elements of advantage as they may deem important.

SEC. 4. The general supervision, control, and government of said reformatory shall be vested in the State board of control of reformatory, charitable, and penal institutions, pursuant to the law creating and defining the duties of said board; and said board shall appoint a general superintendent of said reformatory, at a salary not exceeding two thousand five hundred dollars per year, and determine the number of subordinate officers, physicians, teachers, guards, and employees who shall be appointed by the general superintendent and confirmed by the board of control, and fix their duties and salaries. Said board shall, further, establish a system of government for the institution and make all needful rules and regulations for its management. The duties and disciplinary power of the said general superintendent shall be such as shall be prescribed by the said board of control. Said board is empowered to establish and maintain in connection with said institution a system of manual training and instruction in trades, and create such industries, productive or other, as are consonant with law and the best interests of the inmates of said reformatory. It may establish such system of grading and marking as accords with the practice in one or more of the leading institutions of the country of similar character, and shall have power generally to order all matters of detailed government in such way as in their opinion best subserve the object of this law, to wit: The fitting of the inmates for a return to life in the free world the better for their confinement, and, if possible, reformed. It shall, under their direction and

with the consent of the governor in each instance, have power to establish such conditions precedent to the parole of inmates as it shall deem proper, and it may if in its judgment advisable, the governor authorizing such action, require that every prisoner paroled or discharged shall engage in honorable employment in a position secured for him in advance of his release.

SEC. 5. Every clerk of any court by which a criminal shall be sentenced to said reformatory shall furnish to the officer having such criminal in charge a record containing a copy of the indictment or information, and of the plea, the name of the judge presiding at the trial, and the names and post-office addresses of the jurors and the witnesses sworn on the trial, a full copy of the testimony and of the charge of the court, the verdict, the sentence pronounced, and the date thereof, which record, duly certified by the clerk under his hand and official seal, may be used as evidence against such criminal in any proceeding taken by him for a release from imprisonment, by habeas corpus or otherwise. A copy of the testimony taken on the trial and of the charge of the court shall be furnished to the clerk for the purposes of this act by the stenographer acting upon the trial, or, if no stenographer be present, by the district attorney of the county; but the court may direct the district attorney to make a summary of such testimony, which summary may, after approval and by direction of the court, be made a part of the record herein provided for; and if the court so directs, a copy of the testimony need not be made and may be omitted from such record. The stenographer or district attorney furnishing such copy or summary and the county clerk shall be entitled to such compensation in each case in which they shall perform the duties required by this act as shall be certified by the judge presiding at the trial to be just, and shall be paid by the county in which the trial is had as part of the court expenses. The clerk shall also, upon any such conviction and sentence, forthwith transmit to the general superintendent of the reformatory notice thereof.

SEC. 6. Upon the receipt of such notice the general superintendent in person or a subordinate officer of the reformatory, by said general superintendent for that purpose duly delegated, shall proceed to the place of trial and conviction, and the sheriff or keeper of the jail having the custody of the prisoner shall deliver him to such superintendent or delegated officer, with the record of his trial and conviction as made up by the clerk, and such prisoner shall thereupon be conveyed to the reformatory, the expense of which conveyance shall be a charge against and paid out of the current expense fund of the reformatory.

SEC. 7. Any person who shall be convicted of an offense punishable by imprisonment in the Wisconsin State Reformatory, and who upon such conviction shall be sentenced to imprisonment therein, shall be imprisoned according to this act and not otherwise. The term of imprisonment of each person sentenced hereunder shall be fixed by the court presiding at the trial at not to exceed the maximum period heretofore provided by law, where the designated punishment is confinement in the State prison, for the offense for which the accused person was convicted and sentenced. Every month the board of control shall report to the governor a list of such first-grade convicts as are reported by the general superintendent and in the judgment of the board of control are fit to be at large, whereupon the governor in his discretion may make such order in each case as in his judgment is proper and right, which order directing the parole, discharge, or pardon of any inmate or inmates, if such it be, shall be promptly carried out by the reformatory officers; when it appears to said board that there is a strong or reasonable probability that any prisoner will live and remain at liberty without violating the law, and that his release is not incompatible with the welfare of society, then they shall report him to the governor, who may issue to such prisoner an absolute release from imprisonment. But no petition or other form of application for the release of any prisoner shall be entertained by the board. Nothing herein contained shall be construed to affect the power of the governor to grant a pardon or commutation in any case. In the case of any convict wherein no action has been ordered by the governor, and

who shall have conducted himself in a peaceful and orderly manner and performed all the duties required by him, credit shall be allowed him pursuant to the law governing the State prison prescribing good time allowances, to wit: Chapter 238, laws of 1880.

SEC. 8. The discipline to be observed in said reformatory shall be reformatory, and the said board of control shall have power to use such means of reformation consistent with the improvement of the inmates as it may deem expedient. Criminals in such reformatory may be employed in agriculture or mechanical labor as a means of their support and reformation.

SEC. 9. The board of control shall have power to transfer to the State prison at Waupun any prisoner who, subsequently to his committal, shall be shown to have been at the time of his conviction more than twenty-five years of age or to have been previously convicted of crime, and may also transfer any apparently incorrigible person whose presence in the reformatory appears to be seriously detrimental to the well-being of the institution, to the State prison, and said board may, by written requisition, require the return to the reformatory of any person who may have been so transferred. It may also cause to be transferred any prisoner confined in the State prison who is serving out his first sentence therein to the reformatory under such rules and regulations as the board of control may prescribe. Said board shall have power to establish rules and regulations under which, with the approval of the governor in each instance, prisoners within the reformatory may be allowed to go upon parole outside of the reformatory buildings and inclosures, but to remain while on parole within the legal custody and under the control of the said board of control, and subject at any time to be taken back within the inclosures of said reformatory, and full power to enforce such rules and regulations and to retake and reimprison any convict so upon parole is hereby conferred upon said board, whose written order certified by its secretary shall be a sufficient warrant for all officers named in it to authorize such officers to return to actual custody any conditionally released or paroled prisoner; and it is hereby made the duty of all officers to execute said order the same as ordinary criminal process. The said board of control shall also have power to make all rules and regulations necessary and proper for the employment, discipline, instruction, and education of the convicts in said reformatory, but their removal and temporary or conditional release and return as aforesaid shall be with the consent and by the authority of the governor.

SEC. 10. It shall be the duty of the said board of control to maintain such control over all prisoners committed to their custody as shall prevent them from committing crime, best secure their self-support and accomplish their reformation. When any prisoner shall be received into the reformatory upon direct sentence thereto, they shall cause to be entered in a register the date of such admission, the name, age, nativity, nationality, with such other facts as may be ascertained of parentage, of early social influences, as seem to indicate the constitutional and acquired defects and tendencies of the prisoner; and based upon these, an estimate of the then present condition of the prisoner and the best probable plan of treatment. Upon such register shall be entered quarter yearly, or oftener, minutes of observed improvement or deterioration of character, and notes as to methods of treatment employed, also all orders or alterations affecting the standing or situation of such prisoner, the circumstances of the final release, and any subsequent facts of personal history which may be brought to their knowledge.

SEC. 11. The board of control shall, under a system of marks or otherwise, fix upon a uniform plan under which they shall determine what number of marks or what credit shall be reported to the governor as earned by each prisoner under the provision of this act, as the condition of increased privileges, or of release from their control; which system shall be subject to revision from time to time. Each prisoner so sentenced shall be credited for good personal demeanor, diligence in labor and study, and for results accomplished, and be charged for dereliction, negligences, and offenses. An abstract of the record in the case of each prisoner remaining under

control of the said board of control shall be made up semiannually, considered by the board at a regular meeting, and be filed with the records of its office, which abstract shall show the date of admission, the age, the then present situation, whether in the reformatory, State prison, insane hospital, or elsewhere, whether any and how much progress or improvement has been made, and the reason for release or continued custody, as the case may be. The board shall establish rules and regulations by which the standing of each prisoner's account of marks or credits shall be made known to him as often as once a month, and oftener if he shall at any time request it, and may make provision by which any prisoner may see and converse with some one of said board during every month.

SEC. 12. Said board may appoint suitable persons in any part of the State charged with the duty of supervising prisoners who are released on parole, and who shall perform such other lawful duties as may be required of them by the board; and such persons shall be subject to direction and removal of said board, and shall be paid for the duties actually performed under the direction of said board a reasonable compensation for their services and expenses, and the same shall be a charge upon and paid from the earnings or other funds of the reformatory.

SEC. 13. Said board shall, as soon as practicable after the selection of the site aforesaid and the governor's approval of such selection, secure plans and specifications for the necessary buildings of the institution, which, when completed, shall have a capacity of 600 inmates, with proper and approved facilities for their cellular separation. Said plans and specifications shall by said board be submitted to the governor, and on his approval thereof the said board shall immediately proceed to the erection of such portion of the proposed reformatory as shall furnish the necessary capacity for not less than 150 inmates. This work shall be prosecuted vigorously, and if possible the institution shall be ready for inmates on or before July 1, 1898.

SEC. 14. If at any time after the opening of said institution it become or is likely to become overcrowded, the State board of control shall notify all courts of record of the fact, whereupon such courts shall, during the pendency of such crowded condition, sentence prisoners who otherwise would be eligible to admission to the reformatory to the State prison, whence they may subsequently be transferred to said reformatory on the order of the governor.

SEC. 15. On the order of the governor such inmates of the industrial school for boys at Waukesha as are of proper age may be transferred to the reformatory, when in their cases the conditions under which they serve, as to length of sentence or prospect of parole, will be identical with those of the industrial school.

SEC. 16. Of the prisoners in confinement at the State prison at the time when said reformatory is ready to be opened, the governor may, whenever there is unoccupied room, order the transfer of such as are of suitable age and proper behavior in said prison; provided, in no case shall he order the transfer of a prisoner who is known to have been more than once convicted of a felony. And the board of control and general superintendent of the reformatory are authorized to receive and detain, during the term of their sentence to the State prison, such prisoners so transferred; and the laws applicable to convicts in the State prison, as far as they relate to the commutation of imprisonment for good conduct, shall be applicable to said convicts when transferred under this section.

SEC. 17. The fact of insanity in any convict in the reformatory shall be determined in the manner prescribed by the provision pertaining to this subject incorporated in the law governing the State prison at Waupun, and the transfer to a State hospital for the insane of any convict thus found to be insane shall be ordered by the governor, pursuant to the provisions of law last above referred to.

SEC. 18. To carry into effect the purposes specified in this act, there is hereby appropriated, out of any money in the State treasury not otherwise appropriated, the sum of seventy-five thousand dollars, to be paid in such sums and at such times as the exigencies of purchase of site and construction of buildings may require, which

sums shall be paid as provided by the laws governing appropriations to other State institutions in charge of the State board of control.

SEC. 19. For the purpose of maintaining and operating said institution from the time of its opening to the first of April, 1899, there is hereby appropriated out of any money in the State treasury not otherwise appropriated, a sum not exceeding five thousand dollars per month, which shall, by the State treasurer, be made available and payable for the current expenses of the institution in the manner provided for the maintenance of other State charitable, reformatory, and penal institutions.

SEC. 20. All acts and parts of acts conflicting with the provisions of this act are hereby repealed.

SEC. 21. This act shall take effect and be in force from and after its passage and publication.

Approved April 24, 1897.

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